

AT LEMON LAW

Protecting Consumers Using Assistive Technology (AT) Devices

North Dakota's Assistive Technology Lemon law

The North Dakota Assistive Technology (AT) "Lemon law" protects consumers when a device is defective or does not work right to meet the needs of the consumer.

What are "AT Devices"?

Examples can include:

- * wheelchairs
- * elevators
- * magnification systems
- * communication devices
- * environmental control units
- * computer equipment
- * software
- * adapted toys

The Lemon Law does not cover:

- * hearing aids
- * eyeglasses
- * dental prostheses
- * surgical implants
- * devices altered by consumer design

How does the Law protect consumers?

When buying or leasing an AT device, the consumer should receive a written guarantee. If one is not provided, the consumer should ask for it. With or without a written guarantee, the AT Lemon Law says that the device is guaranteed for at least one year.

Consumer Action

The problem with the device needs to be reported to one of the following before the end of the guarantee:

- * the manufacturer, or
- * the business leasing the device, or
- * the business who sold the device.

It is recommended that the report be made in writing, with the consumer keeping a copy for his or her own records.

Company Responsibility

The manufacturer or business may be able to repair the device. They may attempt, up to four times, to fix the returned device so long as the total repair time is less than 30 days.

If the repairs take ten days or more, the consumer is entitled to a “loaner” device at no cost while the repairs are being made.

If the device cannot be repaired, it should be returned to the company. The consumer may receive either:

- * a replacement device, or
- * a full refund, including any finance charges and transaction costs, such as shipping.

Information

The AT Lemon law can be found at your library in the North Dakota Century Code at Chapter 51-24.

It can also be found at the following web site:

www.ndipat.org

To obtain this material in an alternative format, contact the Protection and Advocacy Project at 1-800-472-2670 (voice) or 1-800-366-6888 (TDD Relay). This publication is funded by the National Institute on Disabilities and Rehabilitation Research, U.S. Office of Special Education Rehabilitation. Participating entities do not discriminate in admission or access to, or treatment or employment in, programs and activities.

For more information or assistance contact:

Protection & Advocacy Project
400 E. Broadway – Suite 616
Bismarck, ND 58501
(701) 328-2950 voice
1-800-472-2670 voice

Interagency Project for Assistive Technology
P.O. Box 743
Cavalier, ND 58220
(701) 265-4807 voice/TDD
1-800-265-4728 voice/TDD

Consumer Protection Line
Office of the Attorney General
1-800-472-2600 voice

Legal Assistance of N.D., Inc.
1-800-932-8880 voice

North Dakota TDD Relay
1-800-366-6888