

151B.325 Manufacturer's duty to provide substitute assistive device or rental reimbursement during warranty repair -- Conditions.

- (1) Whenever an assistive device covered by a manufacturer's express warranty is tendered by a consumer to the dealer from whom it was purchased or exchanged for the repair of a defect, malfunction, or nonconformity to which the warranty is applicable, and at least one (1) of the following conditions exists, the manufacturer shall provide directly to the consumer for the duration of the repair period, a comparable replacement assistive device or a rental assistive device reimbursement to pay for the cost incurred by the consumer for renting a comparable replacement assistive device. The applicable conditions are as follows:
 - (a) The repair period exceeds ten (10) working days, including the day on which the device is tendered to the dealer for repair; or
 - (b) The defect, malfunction, or nonconformity is the same one for which the assistive device has been tendered to the dealer for repair on at least two (2) previous occasions.
- (2) This section applies for the period of the manufacturer's express warranty or the period prescribed in KRS 151B.305(2), whichever is greater, whether or not the repairs extend beyond that period.

Effective: July 15, 1998

History: Created 1998 Ky. Acts ch. 221, sec. 6, effective July 15, 1998.