

CHAPTER 495—H.F.No. 2559

An act relating to commerce; regulating sales and repair of hearing aids; amending Minnesota Statutes 1986, section 145.43, subdivision 1a, and by adding a subdivision; Minnesota Statutes 1987 Supplement, section 145.43, subdivision 4.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1986, section 145.43, subdivision 1a, is amended to read:

Subdivision 1a. **30-DAY GUARANTEE AND BUYER RIGHT TO CANCEL.** No person shall sell a hearing aid in this state unless:

(a) The seller provides the buyer with a 30-day written money-back guarantee. The guarantee must:

(1) permit the buyer to cancel the purchase for any reason within the first 30 days after receiving during which the buyer has possession of the hearing aid by giving or mailing written notice of cancellation to the seller;

(2) entitle the buyer, upon cancellation, to receive a full refund of payment within 30 days of return of the hearing aid to the seller; provided, however, that the seller may retain as a cancellation fee ~~the actual cost of any custom earmolds made for the canceled hearing aid so long as this cancellation fee does an amount~~ not exceed ten percent of the buyer's total payment for the hearing aid;

(b) The seller shall provide a written receipt or contract to the buyer which includes, in immediate proximity to the space reserved for the signature of the buyer, or on the first page if there is no space reserved for the signature of the buyer, a clear and conspicuous disclosure of the following specific statement in all capital letters of no less than 12-point boldface type: THE BUYER HAS THE RIGHT TO CANCEL THIS PURCHASE FOR ANY REASON AT ANY TIME PRIOR TO MIDNIGHT OF THE 30TH CALENDAR DAY OF THE BUYER'S ACTUAL POSSESSION OF THE HEARING AID(S) AFTER INITIAL RECEIPT OF THE HEARING AID(S). IF THIS PURCHASE IS CANCELED, THE BUYER WILL RECEIVE THE SUM OF \$....

Sec. 2. Minnesota Statutes 1987 Supplement, section 145.43, subdivision 4, is amended to read:

Subd. 4. **ITEMIZED REPAIR BILL.** (a) Any person or company who agrees to repair a hearing aid must provide the customer owner of the hearing aid with a billing that specifically itemizes all parts and labor charges for services rendered. The bill must also include the person's or company's name, address, and phone number.

(b) This subdivision does not apply to:

New language is indicated by underline, deletions by ~~strikeout~~.

(1) a person or company that repairs a hearing aid pursuant to an express warranty covering the entire hearing aid and the warranty covers the entire costs, both parts and labor, of the repair; and

(2) a person or company that repairs a hearing aid and the repair is expressly warranted for the entire hearing aid for a period of at least ~~one year~~ six months, the warranty covers the entire costs, both parts and labor, of the repair, and a copy of the express warranty is given to the customer.

Sec. 3. Minnesota Statutes 1986, section 145.43, is amended by adding a subdivision to read:

Subd. 5. REPAIR WARRANTY. Any guarantee of hearing aid repairs must be in writing and delivered to the owner of the hearing aid stating the repairer's name, address, telephone number, length of guarantee, model, and serial number of the hearing aid and all other terms and conditions of the guarantee.

Approved April 12, 1988

CHAPTER 496—S.F.No. 1121

An act relating to motor vehicles; establishing a titling system for salvage and rebuilt motor vehicles; requiring licenses for scrap metal processors, used vehicle parts dealers, and salvage pool operators; amending Minnesota Statutes 1986, sections 168.27, subdivisions 1, 2, 3, 8, 10, 24, and by adding subdivisions; 168.33, subdivision 7; 168A.01, subdivision 2, and by adding subdivisions; and 168A.15; Minnesota Statutes 1987 Supplement, section 168.27, subdivision 16; proposing coding for new law in Minnesota Statutes, chapter 168A.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1986, section 168.27, subdivision 1, is amended to read:

Subdivision 1. **DEFINITIONS.** For the purposes of this section, the following terms have the meanings given them:

(1) "Leasing motor vehicles" means furnishing a motor vehicle for a fee under a bailor-bailee relationship where no incidences of ownership are intended to be transferred other than the right to use the vehicle for a stated period of time.

(2) "Brokering motor vehicles" means arranging sales between willing buyers and sellers of motor vehicles and receiving a fee for said service.

(3) "Wholesaling motor vehicles" means selling new or used motor vehicles to dealers for resale to the public.

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