

Assistive Technology: Lemon Law

What is Assistive Technology?

Assistive technology (AT) is any device, technology or equipment that is used to improve or keep your functional capabilities.

What is the Rhode Island Assistive Technology Lemon Law?

Rhode Island has a law called the Consumer Enforcement of Assistive Technology (AT) Device Warranties law. It is also called the AT Lemon Law. This law protects you if you buy or use assistive technology (AT).

If your AT breaks and cannot be fixed, you might be able to get a new one for free. Or you might be able to get your money back. The Lemon Law gives you the right to ask for that. The Lemon Law also says that the people who make, sell, or rent AT devices (called *manufacturers* or *dealers*) have to keep records of problems and repairs.

What happens if my AT device needs repairs?

Tell the person who made, sold, or rented you the device right away. They must fix your AT if:

- The problem limits your **use** of the AT.
- It makes the AT **less valuable**.
- The device is **not safe** to use.

When can I ask for a replacement or refund?

The Lemon Law only helps if the problem happens within the **first two years you have the AT**.

You can ask for a new device or your money back in two situations:

1. You told the person who made, sold, or rented you the AT during the **first year** you had it. AND they tried to fix that problem **two times in the first two years** you had the AT.
2. Your AT device did not work for **31 days or more during the first year** you had it.

You have to give the broken AT device back to the person who made, sold, or rented it.

- If you ask for a **refund**, they must give your money back within 14 days after you agree to return the AT. You will not get all your money back. The person gets to keep some money for the time you had the device and could use it.
- If you ask for a **replacement**, they must give you a new device within 30 days after you agree to return the AT.

Can I borrow an AT device while mine is fixed?

The person who made, sold, or rented your AT device must let you borrow a device if:

- It would be dangerous for you not to have an AT device while yours gets fixed. They have to let you borrow a device right away.
- It takes more than 7 days to fix your AT device.
- You ask for a replacement, and it takes more than 14 days to get your new AT.

If you choose a refund, you do not get to borrow an AT device. You will need to buy or rent another AT device on your own.

Need More Help?

If you have questions about the AT Lemon Law, you can call Disability Rights Rhode Island at **401-831-3150** or email us at info@drri.org