HOUSE BILL NO. 6369

September 24, 2026, Introduced by Reps. B. Carter and Wozniak and referred to Committee on Finance.

A bill to amend 1994 PA 54, entitled

"An act to regulate the selling and leasing of wheelchairs; to require the manufacturer to provide an express warranty; and to provide for remedies,"

by amending section 1 (MCL 445.1081).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 1. As used in this act:

(a) "Collateral costs" means expenses incurred by a consumer in connection with the repair of a nonconformity in a wheelchair, including the cost of an alternative wheelchair or other assistive device or service for mobility.

(b) "Consumer" means any of the following:

(*i*) The purchaser of a wheelchair, if the wheelchair was purchased from a wheelchair dealer or manufacturer for purposes other than resale.

(*ii*) A person to whom the wheelchair is transferred for purposes other than resale, if the transfer occurs before the expiration of an express warranty applicable to the wheelchair.

(*iii*) A person ~~who~~ **that** may enforce the warranty.

(*iv*) A person ~~who~~ **that** leases a wheelchair from a wheelchair lessor under a written lease.

(c) "Demonstrator" means a wheelchair used primarily for the purpose of demonstration to the public.

(d) "Early termination cost" means an expense or obligation that a wheelchair lessor incurs as a result of both the termination of a written lease before the termination date of the lease and the return of a wheelchair to a manufacturer under section 3. Early termination cost includes a penalty for prepayment under a finance arrangement.

(e) "Early termination savings" means an expense or obligation that a wheelchair lessor avoids as a result of both the termination of a written lease before the termination date of the lease and the return of a wheelchair to a manufacturer under section 3. Early termination savings include an interest charge that the wheelchair lessor would have paid to finance the wheelchair or, if the wheelchair lessor does not finance the wheelchair, the difference between the total amount for which the lease obligates the consumer during the period of the lease term remaining after the early termination and the present value of that amount at the date of the early termination.

(f) "Express warranty" means an express warranty as determined under the uniform commercial code, ~~Act No. 174 of the Public Acts of 1962, being sections 440.1101 to 440.11102 of the Michigan Compiled Laws.~~ **1962 PA 174, MCL 440.1101 to 440.12501.** Express warranty ~~shall cover~~ **covers** everything except the tires and batteries.

(g) "Manufacturer" means a person ~~who~~ **that** manufactures or assembles wheelchairs and agents of that person, including an importer, a distributor, factory branch, distributor branch, and any warrantors of the manufacturer's wheelchairs. ~~, but~~ **Manufacturer** does not include a wheelchair dealer.

(h) "Nonconformity" means a condition or defect that substantially impairs the use, value, or safety of a wheelchair and that is covered by an express warranty applicable to the wheelchair or to a component of the wheelchair. ~~, but~~ **Nonconformity** does not include a condition or defect that is the result of abuse, neglect, or unauthorized modification or alteration of the wheelchair by a consumer.

(i) "Reasonable attempt to repair" means either or both of the following occurring within the term of an express warranty applicable to a new wheelchair or within 1 year after first delivery of the wheelchair to a consumer, whichever is sooner:

(*i*) The same nonconformity is subject to repair ~~at least~~ **not fewer than** 4 times by the manufacturer, wheelchair lessor, or any of the manufacturer's authorized wheelchair dealers.

(*ii*) The wheelchair is out of service for an aggregate of ~~at least~~ **not less than** 30 business days.

(j) "Wheelchair" means a chair mounted on wheels used by ~~a person~~ **an individual** with a disability to enhance mobility.

(k) "Wheelchair dealer" means a person ~~who~~ **that** is in the business of selling wheelchairs.

(*l*) "Wheelchair lessor" means a person ~~who~~ **that** leases a wheelchair to a consumer, or ~~who~~ **that** holds the lessor's rights under a written lease.

Enacting section 1. This amendatory act does not take effect unless House Bill No. 6347 (request no. H02809'25) of the 103rd Legislature is enacted into law.