

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 558 Session of
1997

INTRODUCED BY BATTISTO, ITKIN, COY, COLAFELLA, CORRIGAN,
JOSEPHS, SHANER, BELARDI, BELFANTI, RAMOS, HALUSKA, MELIO,
LEDERER, DALEY, YOUNGBLOOD, TRELLO, E. Z. TAYLOR AND STERN,
FEBRUARY 12, 1997

REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, FEBRUARY 12, 1997

AN ACT

1 Amending the act of November 24, 1976 (P.L.1182, No.262),
2 entitled "An act relating to the dispensing and sale of
3 hearing aids, providing for the registration and regulation
4 of hearing aid fitters and dealers, making certain acts
5 illegal, prescribing penalties and making an appropriation,"
6 providing for the return of a hearing aid.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. The act of November 24, 1976 (P.L.1182, No.262),
10 known as the Hearing Aid Sales Registration Law, is amended by
11 adding a section to read:

12 Section 504.1. Return of Hearing Aid.--(a) No hearing aid
13 shall be sold to any person unless accompanied by a 30-day money
14 back written guarantee providing that if the person returns the
15 hearing aid in the same condition, ordinary wear and tear
16 excluded, as when purchased within 30 days, the customer shall
17 be entitled to the return of the cost of the hearing aid and
18 accessories as itemized on the receipt provided under section
19 504.

1 (b) A hearing aid that has been used for a 30-day period,
2 where the hearing aid has been refinished and totally
3 reconditioned by the manufacturer or by the manufacturer's agent
4 and the manufacturer or manufacturer's agent certifies that the
5 hearing aid meets all the acoustical standards of a new hearing
6 aid and is in all other respects the equivalent of a new hearing
7 aid with all warranties and guarantees that accompany a new
8 hearing aid, shall be considered to be a new hearing aid and so
9 designated.

10 (c) Notwithstanding the provisions of subsection (a), a
11 hearing aid dealer may retain as a cancellation fee for return
12 of a hearing aid a charge not in excess of \$30 for a canceled
13 hearing aid, or ten percent of the purchase price, whichever is
14 less.

15 (d) The secretary shall promulgate rules and regulations to
16 administer and enforce this section.

17 Section 2. This act shall take effect in 60 days.