

ASSEMBLY, No. 2446

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED FEBRUARY 3, 2020

Sponsored by:

Assemblyman DANIEL R. BENSON

District 14 (Mercer and Middlesex)

Assemblyman RAJ MUKHERJI

District 33 (Hudson)

SYNOPSIS

Requires motor vehicle dealers and repair facilities to prioritize repairs on vehicles that accommodate wheel chairs.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 2/13/2020)

1 **AN ACT** concerning motor vehicle repairs and supplementing Title
2 56 of the Revised Statutes.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. a. As used in this act:

8 “Motorized wheelchair” shall have the same meaning as
9 provided in section 1 of P.L.1995, c.233 (C.56:12-75).

10 “Motor vehicle dealer” means any business that engages in
11 selling or leasing motor vehicles to consumers and in the diagnosis,
12 service, maintenance, or repair of motor vehicles.

13 “Repair facility” means a person or business operating in the
14 State that is not affiliated with a motor vehicle dealer, and is
15 engaged in the diagnosis, service, maintenance, or repair of motor
16 vehicles.

17 “Repair work” means maintenance of and modification and
18 repairs to motor vehicles and the diagnostic work incident to those
19 repairs that the motor vehicle dealer or repair facility estimates will
20 take longer than one day to complete.

21 “Wheelchair lift” means a passenger lift designed to raise or
22 lower a person in a wheelchair into or out of a motor vehicle.

23 b. A motor vehicle dealer or repair facility shall make a good
24 faith effort to prioritize repair work on motor vehicles that are
25 equipped with a wheelchair lift or which are retrofitted to
26 accommodate a wheelchair or motorized wheelchair over other
27 repair work.

28 c. A motor vehicle dealer or repair facility that violates this
29 section shall be subject to a civil penalty of \$250 to be collected in
30 a civil action by a summary proceeding under the “Penalty
31 Enforcement Law of 1999,” P.L.1999, c.274 (C.2A:58-10 et seq.).
32 This penalty shall not apply if the motor vehicle dealer or repair
33 facility is required to order parts or equipment necessary to
34 complete the repair work from a distributor or manufacturer and
35 there is a delay in time while the order is processed and the dealer
36 or facility is awaiting delivery.

37
38 2. This act shall take effect immediately.

39

40

41

STATEMENT

42

43 This bill requires motor vehicle dealers and repair facilities to
44 make a good faith effort to prioritize repair work on motor vehicles
45 equipped with a wheelchair lift or which are retrofitted to
46 accommodate a wheelchair or motorized wheelchair. The bill
47 defines repair work as maintenance of and modification and repairs
48 to motor vehicles and the diagnostic work incident to those repairs

1 that the motor vehicle dealer or repair facility estimates will take
2 longer than one day to complete.

3 A motor vehicle dealer or repair facility that fails to make a good
4 faith effort to prioritize motor vehicles equipped with a wheelchair
5 lift or retrofitted to accommodate a wheelchair are to be subject to
6 a \$250 civil penalty. The penalty would not apply if there is a time
7 delay because necessary parts or equipment have been ordered and
8 the dealer or repair facility is awaiting delivery.