

April 12, 1999

S 830. AUTO REPAIR WORK DISCLOSURES. TO REGULATE AUTO REPAIRS. Adds Article 15B to GS Chapter 20, NC Motor Vehicle Repair Act, with following provisions. (1) Motor vehicle repair shop (any person who for compensation engages in repair of motor vehicle owned by another person) must give customer notice disclosing customer's right to written estimate if repair cost will exceed \$100; notice must give customer options of requesting estimate, not requesting estimate as long as repair costs do not exceed amount specified by customer, or waiving written estimate. (2) If customer requests written estimate, bill specifies what must be in estimate, including: proposed completion date; general description of customer's problem; statement as to whether customer is being charged according to flat rate or hourly rate; estimated cost of repair; charge for making repair estimate; customer's intended method of payment; a statement indicating what, if anything, is guaranteed in connection with the repair work and the time and mileage period for which the guarantee is effective; and a statement indicating the daily charge for storing the customer's motor vehicle after the customer has been notified that the repair work has been completed (but storage costs cannot be charged until more than 3 days after notification). (3) If customer leaves car at shop during hours when not open, implied waiver of written estimate, but shop must notify customer when it completes diagnostic work. (4) Specifies when shop may charge for making repair price estimate. (5) Requires immediate notification of customer if actual charges will exceed repair estimate by more than \$10 or 10%, whichever is greater, but not to exceed \$50, and makes it unlawful for repair shop to charge more than the written estimate plus \$10 or 10%, but not to exceed \$50, unless customer has authorized the shop to proceed. (6) Makes it unlawful for repair shop to fail to return customer's motor vehicle because customer has refused to pay for unauthorized repairs or charges in excess of the final estimate when shop did not get customer's authorization. (7) Requires repair shop to give written invoice to customer upon completion of work and specifies contents of invoice. (8) Lists numerous acts that constitute violation by the repair shop, including making or charging for repairs not authorized by customer; misrepresenting that repairs have been made; misrepresenting that certain parts are necessary to repair the vehicle; fraudulently altering any customer contract, estimate, fraudulently misusing customer's credit card; or substituting used parts for new replacement parts. (9) Authorizes customer to bring civil action for damages and allows award of reasonable attorneys' fees.

Intro. by Miller and Ballance.

Ref. to Commerce

GS 20

April 28, 1999

S 830. AUTO REPAIR WORK DISCLOSURES. Intro. 4/12/1999. Senate committee substitute makes the following changes to 1st edition.

Revises proposed new GS 20-354A to exempt any motor vehicle repair shop when performing only minor repairs.

Revises GS 20-354C to require written repair estimate to include statement allowing customer to indicate whether replaced parts should be saved for inspection or return, and indicating charge for storing motor vehicle after customer is notified that repair is finished. Provides that repair shop may not charge for first three working days of storage from date of this notice. Also deletes requirement of disclosure statement if cost will exceed \$100.

Revises GS 20-354E to change limit by which actual charges can exceed estimate to 10% over estimated cost (formerly, limit was \$10 or 10% over estimate but not to exceed \$50).

Revises GS 20-354F to provide invoice to customer, on completion of repair, indicating what was done to correct problem; describing labor, parts, and merchandise supplied and their costs; and identifying any replacement part that is used or rebuilt.

Deletes requirement that repair shops maintain repair records available to customers and DMV for inspection and copying.

Alters GS 20-354H, renumbered as 20-354G, to require repair shop to post sign, at least 24 inches on each side, indicating (1) that if cost of repairs exceeds \$100, customer has right to written estimate but may waive this right.

Makes it unlawful to make fraudulent (formerly, "false") promises to influence customer to authorize repairs.

April 29, 1999

S 830. AUTO REPAIR WORK DISCLOSURES. Intro. 4/12/99. Senate amendments make the following changes to 1st edition. Amendment 1 amends GS 20-354A(b) (exception to the written estimate requirement when customer waives right to receive it) to specify that a customer may waive the right to receive written estimates for a period of time specified by the customer in the waiver. Amendment 2 adds an exception to the coverage of the bill for any person or motor vehicle repair shop performing repairs on commercial construction equipment. Amendment 3 makes technical change.

July 13, 1999

S 830. AUTO REPAIR WORK DISCLOSURES. Intro. 4/12/99. House committee substitute makes the following changes to 3rd edition. Exempts from bill's coverage motor vehicle repair that does not exceed \$350 (was, minor repairs), repair of motor vehicle that has a GVWR of at least 26,001 pounds, or when an insurer has authorized the shop to perform the repair and agreed to pay for it. Requires written estimate when cost of repair will exceed \$350, instead of \$100. Deletes provision prohibiting motor vehicle repair shop from charging storage fees for the first three working days after notification that the work has been completed. Deletes requirement that sign posted in motor vehicle repair shop must contain tollfree telephone number of DMV for consumer assistance. Deletes provisions that makes it unlawful act for shop to willfully depart from or disregard accepted practices and professional standards and to have repair work subcontracted without knowledge or consent of customer. Provides that act does not limit remedies otherwise available. Changes effective date from when it becomes law to Jan. 1, 2000.

July 15, 1999

S 830. AUTO REPAIR WORK DISCLOSURES. Intro. 4/12/99. House amendment makes the following changes to 4th edition. Deletes provision making certain violations of act criminal. Adds G.S. 66-280 to require auto repair shop that advertises the cost of a specified service to disclose in the advertisement all additional charges routinely charged for that service. If business fails to comply then, upon written notice to the business, consumer may pay only charges disclosed in advertisement, plus fees and taxes required by law. Makes violation by a business an unfair trade practice.