

LD8624358

HOUSE BILL NO. 1736

House Amendments in [] — February 4, 1995

A BILL to amend and reenact § 59.1-207.3 of the Code of Virginia, relating to the Automobile Repair Facilities Act; exemption.

Patrons—May, Guest, Mims and Ruff; Senators: Miller, K.G., Potts and Waddell

Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:

1. That § 59.1-207.3 of the Code of Virginia is amended and reenacted as follows:

§ 59.1-207.3. Written estimate for repair work required upon request; charge in excess of estimate; conditions; display of sign required; limitations on liability for delay; exception.

A. Upon request by a customer, prior to the commencement of any repair work on a motor vehicle for which a customer may be charged more than twenty-five dollars, every automobile repair facility doing business in ~~this~~ *the* Commonwealth shall provide the customer a written statement of (i) the estimated cost of labor necessary to complete the work, (ii) the estimated cost of parts necessary to complete work, (iii) a description of the problem or work as described or authorized by the customer, and (iv) the estimated completion time. An automobile repair facility shall have no obligation to provide such written statements prior to 10:00 a.m. or after 4:00 p.m. during a working day.

B. Where a written estimate is requested, no repair work on the motor vehicle may be undertaken, other than such diagnostic work as may be necessary for the preparation of an estimate, until the written estimate has been provided the customer and the customer has authorized the work, either in writing or orally, and no charge for repair work in excess of the written estimate by more than ~~ten per centum~~ *percent* [*or, in the case of any motor vehicle which is at least twenty-five model years old twenty percent*] or extension of the time for the work may be made unless the additional work represented by such excess charge or the time extension has been authorized, in writing or orally, by the customer.

C. An automobile repair facility may impose reasonable conditions for its obligations to provide written estimates to a customer, including the imposition of a reasonable fee for the preparation of a written estimate and related diagnostic work; provided that any such conditions shall be disclosed to the customer at the time of his request by writing or by sign conspicuously posted at the entrance of the automobile repair facility.

Each automobile repair facility shall display in a conspicuous place at any point where vehicles are normally received for repairs, a sign which states that:

1. The customer may receive a written estimate on request;
2. No repair work charge may exceed the written estimate by more than ~~ten per centum~~ *percent* unless the additional work represented by the excess charge has been authorized by the customer;

3. Any conditions imposed by the automobile repair facility in providing written estimates, such as the limited hours when written estimates will be prepared or the amount of the reasonable fee charged for preparing a written estimate and for related diagnostic work;

4. The facility shall offer to return all replaced parts except warranty, core charge or trade-in parts required to be returned to a manufacturer or distributor; and

5. Any complaints can be made to the Virginia Office of Consumer Affairs.

The sign heading "Customer Rights" shall be in letters at least one and one-half inches high and the remaining print shall be in letters at least one-fourth inch high with spacing between letters, words and lines so as to be clearly legible.

D. An automobile repair facility shall not be liable for breach of the written estimated completion date for a repair if the delay is occasioned by (i) an act of God or (ii) an unexpected shortage of labor or parts or (iii) other causes beyond the control of the automobile repair facility.

E. Nothing in this section shall require an automobile repair facility to give a written estimate if the facility is unwilling to perform the requested repair work.

F. The provisions of this section shall not apply to the repair of any motor vehicle which is [~~at least twenty-five model years old~~ any car listed in the Official Judging Manual of the Antique Automobile Club of America] .

ENGROSSED

HB1736E