

House Bill 2498

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of House Interim Committee on Consumer Protection and Government Accountability)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires vehicle repair shop that recommends brake repair or replacement to include specific measurements of brake system components in vehicle repair estimate. Provides for civil action for damages, attorney fees and costs for violation of laws regarding vehicle repair estimates.

A BILL FOR AN ACT

1
2 Relating to brake repairs by vehicle repair shops; creating new provisions; and amending ORS
3 646A.482.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 646A.482 is amended to read:

6 646A.482. (1) A vehicle repair shop shall prepare an estimate of the cost of work the vehicle
7 repair shop proposes to perform on a motor vehicle before beginning the work. The vehicle repair
8 shop **shall**, not later than before receiving final payment, [*shall*] give a copy of the estimate, either
9 as a separate document or in the form of an invoice, to the owner or the owner's designee. The
10 vehicle repair shop shall retain a copy of the estimate. The estimate, at a minimum, must:

11 (a) Describe the general nature of the proposed work;

12 (b) Divide the work into separate tasks, to the extent that the work may be divided into separate
13 tasks; and

14 (c) List:

15 (A) The estimated cost of labor and the parts or component systems the vehicle repair shop
16 proposes to replace;

17 (B) The amount of any incidental charges; and

18 (C) The total estimated cost, which may consist of a reasonable range.

19 (2) If a vehicle repair shop proposes to disassemble all or a portion of a motor vehicle or to
20 remove parts or components of a motor vehicle in order to evaluate the condition of the motor ve-
21 hicle for the purpose of recommending or proposing additional work, in addition to complying with
22 the requirements [*shown in*] **under** subsection (1) of this section, the estimate must:

23 (a) List the total estimated cost of performing the disassembly and evaluation and a separate
24 estimate of the cost for reassembly, assuming for the purpose of the estimate that the owner or
25 owner's designee elects not to proceed with work the vehicle repair shop may recommend or propose
26 after evaluating the condition of the motor vehicle; and

27 (b) State the estimated amount of time, calculated from the date on which the owner or owner's
28 designee authorizes the disassembly, evaluation and reassembly of the motor vehicle, that the vehi-
29 cle repair shop would reasonably take to reassemble the motor vehicle if all necessary parts are
30 available and if the owner or owner's designee, on the day that the owner or owner's designee re-

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 ceives the estimate, elects not to proceed with work the vehicle repair shop recommends or proposes
2 after evaluating the condition of the motor vehicle.

3 **(3) If a vehicle repair shop proposes to inspect the brakes of a motor vehicle to evaluate**
4 **the condition of the brakes for the purpose of recommending or proposing the repair or re-**
5 **placement of the brakes, in addition to complying with the requirements under subsection**
6 **(1) of this section, the estimate must list:**

7 **(a) The original measurements of the relevant components of the brake system, such as**
8 **pads, discs, shoes and drums, when the motor vehicle was new as represented by the man-**
9 **ufacturer of the motor vehicle;**

10 **(b) The current measurements of the relevant components of the brake system, as**
11 **measured by the vehicle repair shop; and**

12 **(c) The suggested minimum measurements for repair or replacement of the relevant**
13 **components of the brake system, as recommended by the manufacturer of the motor vehicle**
14 **and the brake system.**

15 **SECTION 2. Section 3 of this 2011 Act is added to and made a part of ORS 646A.480 to**
16 **646A.495.**

17 **SECTION 3. (1) Any owner may maintain an action against a vehicle repair shop that**
18 **violates a provision of ORS 646A.482 (3) for damages the owner has sustained by reason of**
19 **the violation, and for reasonable attorney fees and costs.**

20 **(2) The remedies available under this section are in addition to any other remedies**
21 **available under law to an aggrieved party.**

22