

D R A F T

SUMMARY

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 violating laws concerning vehicle brake repair estimates.

A BILL FOR AN ACT

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

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

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

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

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

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

(c) List:

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

(B) The amount of any incidental charges; and

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

1 (2) If a vehicle repair shop proposes to disassemble all or a portion of a
2 motor vehicle or to remove parts or components of a motor vehicle in order
3 to evaluate the condition of the motor vehicle for the purpose of recom-
4 mending or proposing additional work, in addition to complying with the
5 requirements [shown] **set forth** in subsection (1) of this section, the estimate
6 must:

7 (a) List the total estimated cost of performing the disassembly and eval-
8 uation and a separate estimate of the cost for reassembly, assuming for the
9 purpose of the estimate that the owner or owner's designee elects not to
10 proceed with work the vehicle repair shop may recommend or propose after
11 evaluating the condition of the motor vehicle; and

12 (b) State the estimated amount of time, calculated from the date on which
13 the owner or owner's designee authorizes the disassembly, evaluation and
14 reassembly of the motor vehicle, that the vehicle repair shop would reason-
15 ably take to reassemble the motor vehicle if all necessary parts are available
16 and if the owner or owner's designee, on the day that the owner or owner's
17 designee receives the estimate, elects not to proceed with work the vehicle
18 repair shop recommends or proposes after evaluating the condition of the
19 motor vehicle.

20 **(3) If a vehicle repair shop proposes to inspect the brakes of a motor**
21 **vehicle to evaluate the condition of the brakes for the purpose of re-**
22 **commending or proposing to repair or replace the brakes, in addition**
23 **to complying with the requirements set forth in subsection (1) of this**
24 **section, the estimate must:**

25 (a) **List the original measurements of the relevant components of**
26 **the brake system, such as the pads, discs, shoes and drums, as the**
27 **motor vehicle manufacturer represents the measurements when the**
28 **motor vehicle is new;**

29 (b) **List the current measurements of the relevant components of**
30 **the brake system, as the vehicle repair shop measures the compo-**
31 **nents; and**

1 (c) Identify the suggested minimum measurements for repairing or
2 replacing the relevant components of the brake system, as the motor
3 vehicle manufacturer and the brake system manufacturer recommend.

4 SECTION 2. Section 3 of this 2013 Act is added to and made a part
5 of ORS 646A.480 to 646A.495.

6 SECTION 3. (1) An owner may bring an action against a vehicle
7 repair shop that violates a provision of ORS 646A.482 (3) for damages
8 the owner sustains by reason of the violation and for reasonable at-
9 torney fees and costs.

10 (2) The remedies available under this section are in addition to any
11 other remedies an owner has under law.

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