

House Bill 2496

Sponsored by Representative WHITSETT (Presession filed.)

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 to post sign that advises customer of certain rights. Requires estimate for repairs to include check box or similar designation by which motor vehicle owner or owner's designee can ask for return of parts that vehicle repair shop replaces during repair.

A BILL FOR AN ACT

1
2 Relating to requirements for 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. Section 2 of this 2015 Act is added to and made a part of ORS 646A.480 to**
6 **646A.495.**

7 **SECTION 2. (1) A vehicle repair shop shall display a sign with the contents prescribed in**
8 **subsection (2) of this section within the vehicle repair shop in a location that a reasonable**
9 **person would consider prominent and easily visible to an owner or owner's designee before**
10 **the owner or owner's designee agrees to have the vehicle repair shop perform work on the**
11 **owner's motor vehicle.**

12 **(2)(a) The sign described in subsection (1) of this section must be printed and displayed**
13 **in a clear and conspicuous manner and must read:**

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18 **Under Oregon law (ORS 646A.480 to 646A.495), a customer of this facility is entitled to re-**
19 **ceive:**

20 **(1) A written estimate for repair work that this facility performs, including the cost of**
21 **parts and labor and any incidental charges.**

22 **(2) A detailed invoice of work this facility performs and of parts supplied.**

23 **(3) Any parts from a vehicle that this facility replaced during a repair, if the customer**
24 **requests the return.**

25 **(4) A separate authorization if this facility proposes to disassemble a vehicle or compo-**
26 **ponents of the vehicle in order to evaluate the vehicle's condition. The estimate must then list**
27 **the parts and labor costs for evaluating the vehicle's condition and the time it would take**
28 **to reassemble the vehicle if the customer elects not to have any repairs performed.**

29
30 **Please direct any questions you might have about the requirements shown above to the**
31 **manager of this facility. If you have a complaint about compliance with these requirements,**

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 please contact the Oregon Attorney General's consumer hotline at (phone number) or file a
2 complaint online at (web address).
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4

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6
7 **(b) For purposes of paragraph (a) of this subsection, "clear and conspicuous" means a**
8 **writing that:**

9 **(A) Appears in capital letters and at least 14-point type, or in an equivalent size;**

10 **(B) Contrasts sufficiently in color with the background against which the writing appears**
11 **so that a reasonable person may read the writing easily; and**

12 **(C) Appears in a manner that would otherwise clearly call a reasonable person's attention**
13 **to the writing.**

14 **SECTION 3.** ORS 646A.482 is amended to read:

15 646A.482. (1) A vehicle repair shop shall prepare an estimate of the cost of work the vehicle
16 repair shop proposes to perform on a motor vehicle before beginning the work. The vehicle repair
17 shop not later than before receiving final payment shall give a copy of the estimate, either as a
18 separate document or in the form of an invoice, to the owner or the owner's designee. The vehicle
19 repair shop shall retain a copy of the estimate. The estimate, at a minimum, must:

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

21 (b) Divide the work into separate tasks, to the extent that the work may be divided into separate
22 tasks; *[and]*

23 **(c) Provide a check box or a similar designation with which the owner or owner's**
24 **designee may instruct the vehicle repair shop to return any motor vehicle parts or compo-**
25 **ponents to the owner or owner's designee that the vehicle repair shop replaces or proposes to**
26 **replace during the repair; and**

27 *[(c)]* (d) List:

28 **(A) The year, make, model, license plate number, vehicle identification number and**
29 **mileage for the motor vehicle;**

30 *[(A)]* **(B) The estimated cost of labor and the parts or component systems the vehicle repair shop**
31 **proposes to replace;**

32 *[(B)]* **(C) The amount of any incidental charges; and**

33 *[(C)]* **(D) The total estimated cost, which may consist of a reasonable range.**

34 (2) If a vehicle repair shop proposes to disassemble all or a portion of a motor vehicle or to
35 remove parts or components of a motor vehicle in order to evaluate the condition of the motor ve-
36 hicle for the purpose of recommending or proposing additional work, in addition to complying with
37 the requirements shown in subsection (1) of this section, the estimate must:

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

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

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 _____