

# House Bill 3551

Sponsored by Representatives WHITSETT, KOTEK

## 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 display 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 to inspect parts, or 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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15  
16 **Under Oregon law (ORS 646A.480 to 646A.495), a customer of this facility is entitled to re-**  
17 **ceive:**

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

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

21 **(3) Any parts from a vehicle that this facility replaced during a repair, if the customer**  
22 **requests the return, or an opportunity to inspect the parts, if the customer requests an in-**  
23 **spection. Some repairs may cost the customer more if the customer requests that this fa-**  
24 **ility return parts replaced during a repair.**

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 **and the cost to reassemble the vehicle if the customer elects not to have any repairs per-**  
29 **formed.**

30  
**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 direct any questions you might have about the requirements shown above to the  
 2 manager of this facility. If you have a complaint about compliance with these requirements,  
 3 please contact the Oregon Attorney General's consumer hotline at (phone number) or file a  
 4 complaint online at (web address).

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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 (3)(a) Except as provided in paragraph (b) of this subsection, at the time an owner or  
 15 owner's designee agrees to have a vehicle repair shop perform work on the owner's motor  
 16 vehicle, the vehicle repair shop shall agree in writing to return to the owner or owner's  
 17 designee, or to give the owner or owner's designee an opportunity to inspect, any parts from  
 18 the owner's motor vehicle that the vehicle repair shop replaces, if the owner or owner's  
 19 designee requests the return or the opportunity for an inspection. Before accepting payment  
 20 from the owner or owner's designee for work the vehicle repair shop performs on the  
 21 owner's motor vehicle, in accordance with the action that the owner or owner's designee  
 22 requested, the vehicle repair shop shall return to the owner or owner's designee, or offer the  
 23 owner or owner's designee the opportunity for an inspection of, the parts from the owner's  
 24 vehicle that the vehicle repair shop replaced.

25 (b) Paragraph (a) of this subsection does not apply to parts that are subject to a  
 26 manufacturer's warranty or a manufacturer's recall.

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

28 646A.482. (1) A vehicle repair shop shall prepare an estimate of the cost of work the vehicle  
 29 repair shop proposes to perform on a motor vehicle before beginning the work. The vehicle repair  
 30 shop not later than before receiving final payment shall give a copy of the estimate, either as a  
 31 separate document or in the form of an invoice, to the owner or the owner's designee. The vehicle  
 32 repair shop shall retain a copy of the estimate. The estimate, at a minimum, must:

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

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

36 (c) Provide a check box or a similar designation with which the owner or owner's  
 37 designee may instruct the vehicle repair shop to return, or to allow the owner or owner's  
 38 designee to inspect, any motor vehicle parts or components that the vehicle repair shop re-  
 39 places or proposes to replace during the repair; and

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

41 (A) The year, make, model, license plate number, vehicle identification number and  
 42 mileage for the motor vehicle;

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

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

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

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

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

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

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