

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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SENATE BILL 1184

Short Title: Car Repairs Authorization.

(Public)

Sponsors: Senators Gunter; Speed, Gulley, Martin of Guilford, Lee, and Ballance.

Referred to: Judiciary I.

May 18, 1993

A BILL TO BE ENTITLED

AN ACT TO REQUIRE A MOTOR VEHICLE REPAIR FACILITY TO PREPARE A WRITTEN STATEMENT FOR REPAIRS THAT COST MORE THAN THREE HUNDRED FIFTY DOLLARS PRIOR TO COMMENCING THE REPAIRS.

The General Assembly of North Carolina enacts:

Section 1. Chapter 20 of the General Statutes is amended by adding a new Article to read:

"ARTICLE 15B.

"MOTOR VEHICLE REPAIR AUTHORIZATION ACT.

"§ 20-354. Written estimate for repair work.

(a) Prior to the commencement of any repairs on a motor vehicle for which a customer may be charged more than three hundred fifty dollars (\$350.00), every repair facility doing business in this State shall prepare a written statement of:

(1) A description of the problem as described by the customer or of work requested by the customer,

(2) A description of the repairs to be performed by the repair facility,

(3) The estimated cost of labor necessary to complete the repairs,

(4) The estimated cost of parts necessary to complete the repairs,

(5) The estimated cost of any other charges to complete the repairs,

(6) An explanation of guarantees, if any, of the repairs to be performed by the repair facility.

(b) No repairs on the motor vehicle shall be undertaken, other than any diagnostic work as may be necessary for the preparation of an estimate, unless a written estimate pursuant to subsection (a) of this section has been provided to the customer and

1 the customer has authorized the work, either in writing or orally. The repair facility
2 shall not charge for repairs in excess of the written estimate by more than fifteen percent
3 (15%), unless the additional work represented by any excess charge has been
4 authorized, in writing or orally, by the customer.

5 (c) Except as provided in subsection (d) of this section, the motor vehicle repair
6 facility shall not charge the customer any fee associated with providing an estimate.

7 (d) The motor vehicle facility may charge a fee for the actual cost of the
8 diagnostic work necessary for the preparation of the estimate so long as this cost is
9 disclosed to the customer prior to the diagnostic work being done.

10 (e) When the customer authorizes the repairs orally, the facility shall provide the
11 written estimate to the customer upon completion of the repairs.

12 **"§ 20-354.1. Replaced parts.**

13 (a) At the request of the customer, the motor vehicle repair facility shall return all
14 replaced parts, except warranty, core charges, or trade-in parts required to be returned to
15 a manufacturer or distributor.

16 (b) If the customer accepts any replaced parts and later attempts to return these
17 replaced parts, the motor vehicle repair facility shall, for up to 30 days following
18 completion of the repairs, accept the replaced parts for recycling, reuse, or proper
19 disposal.

20 **"§ 20-354.2. Posted sign.**

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

23 (1) The customer shall receive a written estimate for all repairs in excess
24 of three hundred fifty dollars (\$350.00).

25 (2) No repairs shall be commenced unless the customer authorizes, orally
26 or in writing, the repairs after the written estimate has been prepared.

27 (3) If the customer authorizes the repairs orally, the customer shall receive
28 the written estimate upon completion of the repairs.

29 (4) No charge for repairs shall exceed the written estimate by more than
30 fifteen percent (15%) unless the additional work represented by the
31 excess charge has been authorized by the customer pursuant to a
32 revised written estimate.

33 (5) At the request of the customer, the motor vehicle repair facility shall
34 return all replaced parts except warranty, core charges, or trade-in
35 parts required to be returned to a manufacturer or distributor.

36 (6) If the customer accepts any replaced parts and later attempts to return
37 these replaced parts, the motor vehicle repair facility shall, for up to 30
38 days following completion of the repairs, accept the replaced parts.

39 (b) The sign under subsection (a) of this section shall be entitled 'CUSTOMERS'
40 RIGHTS'. This title shall be in letters at least one and one-half inches high. The
41 remaining print shall be in letters at least one-fourth inch high with spacing between
42 letters, words, and lines so as to be clearly legible.

43 **"§ 20-354.3. Exemption.**

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

3 **"§ 20-354.4. Remedies.**

4 (a) Customer injured by any violation of this Article may bring an action for
5 recovery of damages, including attorneys' fees.

6 (b) The remedies provided herein shall be in addition to any other remedies
7 provided by law."

8 Sec. 2. G.S. 20-183.7(a) reads as rewritten:

9 "(a) Every safety equipment inspection station shall charge a fee of five
10 dollars and twenty-five cents (\$5.25) effective October 1, 1989; and a fee of six dollars
11 and twenty-five cents (\$6.25) effective October 1, ~~1990-1990~~; and six dollars and fifty
12 cents (\$6.50) effective October 1, 1993 for inspecting a motor vehicle to determine
13 compliance with the safety inspection requirements of this Article and shall give the
14 vehicle operator a dated receipt, indicating the articles and equipment approved and
15 disapproved. At any time within 90 days thereafter, when the receipt is presented to the
16 inspection station which issued it with a request for reinspection, that inspection station
17 shall reinspect the vehicle at no charge. Whenever any vehicle is approved, the
18 inspection station shall obtain an additional fee of one dollar (\$1.00) for a valid
19 inspection certificate, and affix the certificate to that vehicle or otherwise document the
20 issuance of the certificate in a manner prescribed by the Commissioner of Motor
21 Vehicles."

22 Sec. 3. G.S. 20-183.7(a1) reads as rewritten:

23 "(a1) For inspection of vehicles required to be inspected under the
24 inspection/maintenance provisions of G.S. 20-183.3(b), every safety equipment
25 inspection station shall charge a fee of ten dollars and ten cents (\$10.10) effective
26 October 1, 1989; and a fee of thirteen dollars (\$13.00) effective October 1, ~~1990-1990~~,
27 and a fee of thirteen dollars and ten cents (\$13.10) effective October 1, 1993, for
28 inspecting a motor vehicle to determine compliance with the safety inspection
29 requirements and the exhaust emission standards pursuant to the inspection/maintenance
30 requirements of this Article and shall give the vehicle operator a dated receipt indicating
31 the articles and equipment approved or disapproved and whether the vehicle met the
32 emission control standards. If the vehicle is disapproved, at any time within 30 days
33 thereafter when the receipt is presented to the inspection station which issued it with a
34 request for reinspection, that inspection station shall reinspect the vehicle at no charge.
35 Whenever any vehicle is approved, the inspection station shall obtain an additional fee
36 of two dollars and forty cents (\$2.40) for a valid inspection certificate covering both the
37 safety inspection requirements and the emission control inspection/maintenance
38 requirements and affix the certificate to that vehicle or otherwise document the issuance
39 of the certificate in a manner prescribed by the Commissioner of Motor Vehicles."

40 Sec. 4. G.S. 20-183.7(c) reads as rewritten:

41 "(c) Fees collected for inspection certificates are payable to the Division of Motor
42 Vehicles. The amount of each fee listed in the table below shall be credited to the
43 Division of Motor Vehicles for enforcement of the safety equipment inspection
44 program, Highway Fund, the Volunteer Rescue/EMS Fund established in G.S. 58-87-5,

1 the Rescue Squad Workers' Relief Fund established in G.S. 58-88-5, and the Division of
2 Environmental Management of the Department of Environment, Health, and Natural
3 Resources:

<u>Fund or Agency</u>	<u>Fee Imposed</u> <u>Under (a)</u>	<u>Fee Imposed</u> <u>Under (a1)</u>
7 <u>Division of Motor Vehicles</u>	<u>.25</u>	<u>.10</u>
8 Highway Fund	.75	1.80
9 Volunteer Rescue/EMS Fund	.15	.15
10 Rescue Squad Workers' Relief		
11 Fund .10 .10		
12 Division of Environmental		
13 Management	.00	.35."

14 Sec. 5. This act becomes effective October 1, 1993.