

HOUSE BILL 1057

I3

(8lr1395)

ENROLLED BILL
—*Economic Matters / Finance*—

Introduced by **Delegate King**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Commercial Law - Automotive Repair Facilities - Invoices, *Written***
3 ***Estimates, and Forms for Authorization of Repairs***

4 FOR the purpose of requiring an invoice, a written estimate for repair work, and a
5 form for authorization of repairs from an automotive repair facility to state that
6 while a customer's motor vehicle is on the premises of the automotive repair
7 facility, the automotive repair facility ~~is not responsible for any damage to the~~
8 ~~customer's motor vehicle that is caused by an individual not employed by the~~
9 ~~automotive repair facility~~ may not be responsible for damage to the customer's
10 motor vehicle under certain circumstances, and that the customer should ask a
11 representative of the automotive repair facility about the extent of its
12 responsibility, including the extent of the insurance coverage of the automotive
13 repair facility; making a stylistic change *stylistic changes*; and generally
14 relating to automotive repair facilities ~~and invoices~~.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber / conference committee amendments.



1 BY repealing and reenacting, with amendments,
 2 Article – Commercial Law
 3 Section 14–1002(a) and 14–1003
 4 Annotated Code of Maryland
 5 (2005 Replacement Volume and 2007 Supplement)

6 BY adding to
 7 Article – Commercial Law
 8 Section 14–1008(e)
 9 Annotated Code of Maryland
 10 (2005 Replacement Volume and 2007 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 12 MARYLAND, That the Laws of Maryland read as follows:

13 **Article – Commercial Law**

14 14–1002.

15 (a) (1) Before beginning any repair work on a motor vehicle for which a
 16 customer is charged more than \$50, an automotive repair facility shall give the
 17 customer on [his] **THE CUSTOMER’S** request a written statement which contains:

18 (i) The estimated completion date; [and]

19 (ii) The estimated price for labor and parts necessary to complete
 20 the work; [and]

21 (iii) **A CLEAR STATEMENT THAT WHILE THE CUSTOMER’S**
 22 **MOTOR VEHICLE IS ON THE PREMISES OF THE AUTOMOTIVE REPAIR FACILITY,**
 23 **THE AUTOMOTIVE REPAIR FACILITY MAY NOT BE RESPONSIBLE FOR DAMAGE TO**
 24 **THE CUSTOMER’S MOTOR VEHICLE UNDER CERTAIN CIRCUMSTANCES, AND THAT**
 25 **THE CUSTOMER SHOULD ASK A REPRESENTATIVE OF THE AUTOMOTIVE REPAIR**
 26 **FACILITY ABOUT THE EXTENT OF ITS RESPONSIBILITY, INCLUDING THE EXTENT**
 27 **OF THE INSURANCE COVERAGE OF THE AUTOMOTIVE REPAIR FACILITY; AND**

28 [(iii)] (iv) The estimated surcharge, if any.

29 (2) If the fee is disclosed to the customer before the estimate is made,
 30 the automotive repair facility may charge a reasonable fee for making the estimate.

31 14–1003.

32 (a) An automotive repair facility shall prepare an invoice which describes:

33 (1) All work done by it, including all warranty work; and

1 (2) All parts supplied by it.

2 (b) The invoice shall state clearly [if]:

3 (1) **IF** any used, rebuilt, or reconditioned parts have been supplied or
4 if a part of a component system supplied is composed of used, rebuilt, or reconditioned
5 parts; **AND**

6 (2) **THAT WHILE A CUSTOMER'S MOTOR VEHICLE IS ON THE**
7 **PREMISES OF THE AUTOMOTIVE REPAIR FACILITY, THE AUTOMOTIVE REPAIR**
8 **FACILITY IS NOT RESPONSIBLE FOR ANY DAMAGE TO THE CUSTOMER'S MOTOR**
9 **VEHICLE THAT IS CAUSED BY AN INDIVIDUAL NOT EMPLOYED BY THE**
10 **AUTOMOTIVE REPAIR FACILITY MAY NOT BE RESPONSIBLE FOR DAMAGE TO THE**
11 **CUSTOMER'S MOTOR VEHICLE UNDER CERTAIN CIRCUMSTANCES, AND THAT**
12 **THE CUSTOMER SHOULD ASK A REPRESENTATIVE OF THE AUTOMOTIVE REPAIR**
13 **FACILITY ABOUT THE EXTENT OF ITS RESPONSIBILITY, INCLUDING THE EXTENT**
14 **OF THE INSURANCE COVERAGE OF THE AUTOMOTIVE REPAIR FACILITY.**

15 (c) The invoice shall include the following notice:

16 "Manufacturer Special Policy Adjustment Programs

17 Federal law requires manufacturers to furnish the National Highway Traffic
18 Safety Administration (N.H.T.S.A.) with bulletins describing any defects in their
19 vehicles. You may obtain copies of these bulletins from either the manufacturer or
20 N.H.T.S.A. In addition, certain consumer publications or organizations publish this
21 information, which may be available for a fee or for free."

22 (d) After the customer signs the invoice, the automotive repair facility shall
23 give [him] **THE CUSTOMER** a copy of it and retain a copy.

24 14-1008.

25 **(E) THE AUTHORIZATION FORM SHALL INCLUDE A CLEAR STATEMENT**
26 **THAT WHILE THE CUSTOMER'S MOTOR VEHICLE IS ON THE PREMISES OF THE**
27 **AUTOMOTIVE REPAIR FACILITY, THE AUTOMOTIVE REPAIR FACILITY MAY NOT BE**
28 **RESPONSIBLE FOR DAMAGE TO THE CUSTOMER'S MOTOR VEHICLE UNDER**
29 **CERTAIN CIRCUMSTANCES, AND THAT THE CUSTOMER SHOULD ASK A**
30 **REPRESENTATIVE OF THE AUTOMOTIVE REPAIR FACILITY ABOUT THE EXTENT**
31 **OF ITS RESPONSIBILITY, INCLUDING THE EXTENT OF THE INSURANCE**
32 **COVERAGE OF THE AUTOMOTIVE REPAIR FACILITY.**

33 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
34 October 1, 2008.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.