

HOUSE BILL REPORT

SSB 6005

As Passed House:
February 27, 2012

Title: An act relating to the exemption of certain vehicles from the written estimate requirement for auto repair facilities.

Brief Description: Exempting certain vehicles from the written estimate requirement for auto repair facilities.

Sponsors: Senate Committee on Labor, Commerce & Consumer Protection (originally sponsored by Senators Carrell, Delvin, Fain, Sheldon, Hill and Benton).

Brief History:

Committee Activity:

Business & Financial Services: 2/17/12, 2/21/12 [DP].

Floor Activity:

Passed House: 2/27/12, 96-0.

Brief Summary of Substitute Bill

- Provides exemptions from the requirement that an automotive repair facility must provide a written estimate for specific vehicles.

HOUSE COMMITTEE ON BUSINESS & FINANCIAL SERVICES

Majority Report: Do pass. Signed by 13 members: Representatives Kirby, Chair; Kelley, Vice Chair; Bailey, Ranking Minority Member; Buys, Assistant Ranking Minority Member; Blake, Condotta, Hudgins, Hurst, Kretz, Pedersen, Rivers, Ryu and Stanford.

Staff: Jon Hedegard (786-7127).

Background:

Written Price Estimates by Automotive Repair Facilities.

Prior to providing parts or labor, an automotive repair facility (repair facility) must provide a customer with the opportunity to receive a written price estimate of the total cost of the repair.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

A customer may:

- require the repair facility to contact the customer if the price will exceed the estimate by more than 10 percent;
- permit the repair facility to proceed with repairs but require the repair facility to contact the customer if the price will exceed a specific authorized amount; or
- waive the written estimate.

A repair facility may not charge the customer more than 110 percent of the estimated total, exclusive of sales tax, unless an oral or a written authorization to exceed the estimate is obtained by the repair facility from the customer.

There are specific record-keeping requirements associated with the estimate, any repairs, and any oral authorization by a customer.

Exception to the Written Estimate Requirement.

A written estimate is not required when the customer's motor vehicle or component is brought to a repair facility and there is no in-person discussion between the customer and an authorized agent or employee of the repair facility. Prior to providing parts and labor, the repair facility must obtain either the oral or written authorization of the customer.

Motor Vehicles and Motor Vehicle License Plates.

"Collector vehicle license plate" means a special license plate that may be assigned to a vehicle that is more than 30 years old.

"Horseless carriage license plate" is a special license plate that may be assigned to a vehicle that is more than 40 years old.

"Street rod vehicle" means a motor vehicle that:

- was manufactured before 1949 or was manufactured after 1948 to resemble a vehicle manufactured before 1949; and
- has alterations to one or more of the major component parts that change the appearance or performance of the vehicle from the original manufacturer's design or has a body constructed from non-original materials.

"Custom vehicle" means any motor vehicle that:

- is at least 30 years old and of a model year after 1948 or was manufactured to resemble a vehicle at least 30 years old and of a model year after 1948; and
- has alterations to one or more of the major component parts that change the appearance or performance of the vehicle from the original manufacturer's design or has a body constructed from non-original materials.

Summary of Bill:

A written estimate is not required for the repair of any vehicle that:

- qualifies for a horseless carriage license plate;
- qualifies for a collector vehicle license plate;

- is a parts car, which is a motor vehicle that is owned by a collector to furnish parts for restoration or maintenance of a vehicle that qualifies for a horseless carriage license plate or a collector vehicle license plate;
- is a street rod vehicle; or
- is a custom vehicle.

A customer seeking repair services for one of these exempt vehicles may request a written estimate. A written estimate may be provided at the discretion of the repair facility. The repair facility must advise the customer that the requested repairs will be furnished on a time and materials basis and will be billed at least every two weeks.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect on January 1, 2013.

Staff Summary of Public Testimony:

(In support) Collector cars may be very old. They may have been in multiple accidents over time. It may not be clear how much money will be required to restore the car. Current law has some limitations on how much can be charged based on the estimate. This law creates problems for car restorers. The bill addresses concerns that have been building for the last several years for the niche community of car restorers and car builders. A written estimate must be offered to a customer, but an accurate estimate may be difficult or impossible to provide for the restoration of a classic car. State law is addressed to common diagnostic problems with relatively new vehicles. State law does not contemplate the restoration of a classic car that has a rusted body or does not have an engine. The bill exempts certain vehicles from the written estimate requirements. Instead, the customer would receive a bill at least every two weeks for time and materials. Custom built cars can cost over \$1 million. A custom builder may create and craft unique parts at the request of a customer. There is no way to provide an accurate estimate for that prior to the beginning of the job. Most repairs use standard time estimates for certain repairs. That model does not work for custom building or restoration. Restoring an old car is similar to restoring an old house. A specific cost is almost impossible to ascertain before the job is started. The proposed requirement for billing time and materials every two weeks is more transparent than the current requirement of providing a single estimated total for all work.

(Opposed) None.

Persons Testifying: Senator Carrell, prime sponsor; Harland Lippold, Horse Heaven Mustang; Kevin Jack, Thunder Road Street Rods and Customs; Eric Shetterly; and Will Duncan, Duncans Speed and Custom.

Persons Signed In To Testify But Not Testifying: None.