

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 6005

62nd Legislature
2012 Regular Session

Passed by the Senate February 14, 2012
YEAS 47 NAYS 0

President of the Senate

Passed by the House February 27, 2012
YEAS 96 NAYS 0

Speaker of the House of Representatives

Approved

Governor of the State of Washington

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 6005** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 6005

Passed Legislature - 2012 Regular Session

State of Washington 62nd Legislature 2012 Regular Session

By Senate Labor, Commerce & Consumer Protection (originally sponsored by Senators Carrell, Delvin, Fain, Sheldon, Hill, and Benton)

READ FIRST TIME 01/24/12.

1 AN ACT Relating to the exemption of certain vehicles from the
2 written estimate requirement for auto repair facilities; amending RCW
3 46.71.025; and providing an effective date.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 46.71.025 and 1993 c 424 s 5 are each amended to read
6 as follows:

7 (1) Except as provided in subsections (3) and (4) of this section,
8 a repair facility prior to providing parts or labor shall provide the
9 customer or the customer's designee with a written price estimate of
10 the total cost of the repair, including parts and labor, or where
11 collision repair is involved, aftermarket body parts or nonoriginal
12 equipment manufacturer body parts, if applicable, or offer the
13 following alternatives:

14 "YOU ARE ENTITLED TO A WRITTEN PRICE ESTIMATE FOR THE REPAIRS YOU HAVE
15 AUTHORIZED. YOU ARE ALSO ENTITLED TO REQUIRE THE REPAIR FACILITY TO
16 OBTAIN YOUR ORAL OR WRITTEN AUTHORIZATION TO EXCEED THE WRITTEN PRICE
17 ESTIMATE. YOUR SIGNATURE OR INITIALS WILL INDICATE YOUR SELECTION.

1 1. I request an estimate in writing before you begin repairs.
2 Contact me if the price will exceed this estimate by more than
3 ten percent.

4 2. Proceed with repairs but contact me if the price will exceed
5 \$.

6 3. I do not want a written estimate.

7 (Initial or signature)

8 Date: Time:"

9 (2) The repair facility may not charge the customer more than one
10 hundred ten percent, exclusive of retail sales tax, of the total shown
11 on the written price estimate. Neither of these limitations apply if,
12 before providing additional parts or labor the repair facility obtains
13 either the oral or written authorization of the customer, or the
14 customer's designee, to exceed the written price estimate. The repair
15 facility or its representative shall note on the estimate the date and
16 time of obtaining an oral authorization, the additional parts and labor
17 required, the estimated cost of the additional parts and labor, or
18 where collision repair is involved, aftermarket body parts or
19 nonoriginal equipment manufacturer body parts, if applicable, the name
20 or identification number of the employee who obtains the authorization,
21 and the name and telephone number of the person authorizing the
22 additional costs.

23 (3) A written estimate shall not be required when the customer's
24 motor vehicle or component has been brought to an automotive repair
25 facility's regular place of business without face-to-face contact
26 between the customer and the repair facility. Face-to-face contact
27 means actual in-person discussion between the customer or his or her
28 designee and the agent or employee of the automotive repair facility
29 authorized to intake vehicles or components. However, prior to
30 providing parts and labor, the repair facility must obtain either the
31 oral or written authorization of the customer or the customer's
32 designee. The repair facility or its representative shall note on the
33 estimate or repair order the date and time of obtaining an oral
34 authorization, the total amount authorized, the name or identification

1 number of the employee who obtains the authorization, and the name of
2 the person authorizing the repairs.

3 (4)(a) A written estimate is not required for the repair of any
4 vehicle that:

5 (i) Qualifies for a horseless carriage license plate as defined in
6 RCW 46.04.199 or a collector vehicle license plate as defined in RCW
7 46.04.1261;

8 (ii) Is a street rod vehicle as defined in RCW 46.04.572 or a
9 custom vehicle as defined in RCW 46.04.161; or

10 (iii) Is a parts car, which, for the purposes of this section,
11 means a motor vehicle that is owned by a collector to furnish parts for
12 restoration or maintenance of a vehicle described in RCW 46.18.220(1)
13 or 46.18.255(1), thus enabling a collector to preserve, restore, and
14 maintain such a vehicle.

15 (b) This subsection does not prohibit a customer seeking repair
16 services for one of the vehicles listed under this subsection from
17 requesting a written estimate, which may be provided at the discretion
18 of the agent or employee of the automotive repair facility, and in
19 which case the repair facility shall provide notification and
20 documentation advising the customer that the requested repairs will be
21 furnished on a time and materials basis, to be billed at least every
22 two weeks.

23 NEW SECTION. Sec. 2. This act takes effect January 1, 2013.

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