

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

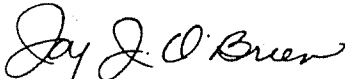
Legislative Document

No. 1044

S.P. 400

In Senate, April 5, 1989

Reference to the Committee on Business Legislation suggested and ordered printed.


JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator BRANNIGAN of Cumberland.
Cosponsored by Representative GURNEY of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-NINE

An Act to Require Written Repair Invoices.



1 **Be it enacted by the People of the State of Maine as follows:**

3 **Sec. 1. 29 MRSA §2605**, as enacted by PL 1979, c. 698, §2, is
5 amended to read:

7 A repair facility shall post the following notice in a place
9 where it is reasonably likely to be seen by its repair customers.
11 The notice shall be completed with information on charges and
13 printed so that it is conspicuous and can be read by the average
15 person.

17 "NOTICE TO OUR CUSTOMERS

19 REQUIRED UNDER STATE LAW

21 Before we begin making repairs, you have a right to put in
23 writing the total amount you agree to pay for repairs. You will
25 not have to pay anything over that amount unless you agree to it
27 when we contact you later.

29 Before you pay your bill, you have a right to inspect any
31 replaced parts. You have a right to take with you any replaced
33 parts, unless we are required to return the parts to our
35 distributor or manufacturer.

37 We cannot install any used or rebuilt parts unless you
39 specifically agree in advance.

41 You cannot be charged any fee for exercising these rights.
43 WE CHARGE \$ PER HOUR FOR LABOR. (We round off the time to
45 the nearest .)

47 The notice shall also contain the following if it applies:

49 "We also charge a flat rate for some repairs. Our service
51 manager will explain what a the flat rate is for your particular
repair and show you how much it may cost you."

53 **Sec. 2. 29 MRSA §§2606-A and 2606-B** are enacted to read:

55 **§2606-A. Written invoices**

57 A repair facility shall provide each repair customer with a
59 written invoice containing at least the following information
61 concerning any service or repair work:

63 1. Itemization of work. An itemization of all work
65 performed;

67 2. List of parts. An itemization of all parts installed
69 having a value in excess of \$5;

1 3. Hourly rate. An itemization of all labor charges and a
2 disclosure of the hourly labor rate; and

3
4 4. Flat rate. If repairs are based on a flat rate, a clear
5 disclosure of that rate when the charge reflects the flat rate
6 and not an hourly labor rate.

7
8 **§2606-B. Diagnostic repairs**

9
10 A repair facility shall not charge for the cost of
11 diagnosing a repair covered under a written warranty or service
12 contract provided by that facility unless the warranty or service
13 contract specifically permits these charges.

14
15
16
17 **STATEMENT OF FACT**

18
19 This bill ensures that automobile repair customers
20 understand all repair charges, including whether they are being
21 charged an hourly labor rate or a flat rate. "Flat rate" means
22 any method of calculating charges for labor that is not based
23 upon the amount of time actually spent repairing a motor
24 vehicle. This bill also clarifies that a repair facility cannot
25 charge for diagnosing a repair covered under a warranty agreement
26 or service contract unless that warranty or service contract
27 specifically permits these charges.