

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 1171

S.P. 352

In Senate, February 25, 1997

An Act to Better Inform Car Repair Customers.

Submitted by the Department of the Attorney General pursuant to Joint Rule 204.
Reference to the Committee on Business and Economic Development suggested and
ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator RAND of Cumberland.
Cosponsored by Senators: MICHAUD of Penobscot, PINGREE of Knox, Representatives:
AHEARNE of Madawaska, FISHER of Brewer, LEMAIRE of Lewiston, MUSE of South
Portland.

2
3 **Be it enacted by the People of the State of Maine as follows:**

4 **Sec. 1. 29-A MRSA §1805, sub-§2,** as enacted by PL 1993, c.
5 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

6 **2. Flat rate.** The notice must also contain the following
7 if it applies:

8
9 "We also charge a flat rate for some repairs. Our service
10 manager will explain what a flat rate is and show you how much it
11 may cost you. A flat-rate charge may not match the time actually
12 spent repairing your vehicle. If you like, you may inspect the
13 flat-rate manual we use."

14 **Sec. 2. 29-A MRSA §1810** is enacted to read:

15 **§1810. Flat-rate bills and estimates**

16
17 A repair facility must provide its customers with a written
18 bill that states the prices charged for labor and parts.

19
20 **1. Flat-rate charges.** If the customer's bill is based on
21 flat-rate charges, then the bill must clearly and conspicuously
22 disclose:

23
24 **A.** That the labor charge is based on a flat-rate charge and
25 not on the actual time spent making the repairs;

26
27 **B.** That the flat rate used may not match the actual time
28 spent repairing the vehicle;

29
30 **C.** The name of the manual that is the source of the
31 flat-rate charges; and

32
33 **D.** That a copy of the flat-rate manual used is available
34 for customer inspection.

35
36 **2. Estimates.** If the repair facility provides the customer
37 with a written estimate of the repair cost and the estimate is
38 based on a flat-rate manual, then the estimate must also disclose
39 the information under subsection 1.

40
41
42
43 **SUMMARY**

44
45 One of the most confusing aspects of any car repair is
46 whether the bill is based on actual labor hours or a flat-rate
47 manual's estimate of how much time such a repair should take.
48 The purpose of this bill is to provide customers with greater
49 information about flat-rate billing and to help them comparison
50 shop for the best price. It is based on findings set forth in
51 the 1995 National Association of Attorneys General Auto Repair
52 Task Force Report.