

CHAPTER NO. 194

HOUSE BILL NO. 861

By Representatives Patton, Bowers, Beavers, Black

Substituted for: Senate Bill No. 1470

By Senators Haun, Person

AN ACT to amend Tennessee Code Annotated, Title 47, Chapter 18; Title 55, Chapter 24 and Title 66, Chapter 19, relative to automobile repairs.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 66, Chapter 19, Part 1, is amended by adding the following as a new section:
66-19-104.

(a) Before beginning any repair work on a motor vehicle, an automotive repair facility shall inform the consumer for whom the repairs are to be done of the following rights:

(1) That a consumer:

(A) May request a written estimate for repairs that cost in excess of two hundred fifty dollars (\$250.00); and

(B) May not be charged an amount over twenty-five percent (25%) in excess of the written estimate without the consumer's consent or good faith attempt to acquire the consent; and

(2) That repairs not originally authorized by the consumer may not be charged to the consumer without the consumer's consent unless a repair facility makes a good faith attempt to acquire the consent prior to providing additional repairs. A good faith attempt shall entail at least an attempted telephone call to the consumer.

(b) The consumer's rights provided in subsection (a) shall be:

(1) Displayed immediately before the space for the signature of the consumer conspicuously in easily readable type;

(2) Physically separated from the other terms of the form used for authorization of repairs; and

(3) Listed under the printed heading "Consumer's Rights".

(c)

(1) If any automotive repair facility informs a consumer orally of the consumer's rights, the facility shall record in writing:

(A) The name of the persons who were notified or attempted to notify;

(B) The date and time of the notification or attempt and;

(C) The signature of the person who made the notification or attempted notification.

SECTION 2. Failure to comply with Section 1 shall abrogate the repair facility's rights under Tennessee Code Annotated Section 66-19-103.

SECTION 3. Nothing in this act shall apply to any person or entity licensed under Title 55, Chapter 17.

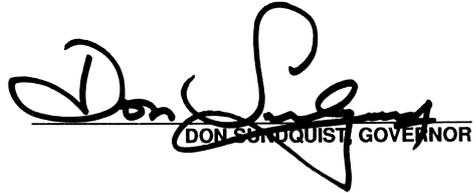
SECTION 4. This act shall take effect July 1, 2001, the public welfare requiring it.

PASSED: May 2, 2001


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 10th day of May 2001


DON SUNDQUIST, GOVERNOR