

# Auto repairs

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Learn about automobile repairs and dealing with mechanics.

## **Where should I take my car for repairs?**

Find a shop that does good, reliable work and one you trust because the legal remedies for resolving these disputes are limited.

- Disputes (disagreements) often arise about what repairs should be made, the cost of repairs, and the repair shop keeping your car until the bill is paid. Choose your repair shop with care.
- Get advice from friends.
- Check out repair shops with the Better Business Bureau or online rating and review sites.

## **What is the Auto Repair Act?**

Auto repair facilities in Washington must follow the Auto Repair Act (<http://apps.leg.wa.gov/rcw/default.aspx?cite=46.71>) (ARA), RCW 46.71 (<http://apps.leg.wa.gov/rcw/default.aspx?cite=46.71>).

## **What is an “auto repair facility?”**

It is any person, firm, association, or corporation in the business of repairing motor vehicles.

Under state law, the auto repair facility must give you a written estimate for repairs over \$100 if you meet in person. The estimate should include:

- Your odometer reading.
- The specific repair needed.
- The total estimated cost, including parts and labor.
- If they will use Original Equipment Manufacturer (OEM) parts.

Ask for everything to be in writing from any auto repair shop. Keep a copy of all the written records.

### Should I get an estimate?

Before you take your vehicle to a repair shop, find out if an existing warranty covers the parts or service you need. If so, ask if the repair facility will honor the parts warranty and if it provides a written warranty for its own work. Find out in advance if there is a diagnostic charge. **Then** go to the shop to get an estimate.

If the estimate seems too high, ask for an explanation and get a second opinion before you authorize any work.

If you disagree with the repair estimate, try to take your vehicle to a second shop for another estimate if you are able to. You will have

to do this before any repairs are made to your vehicle.

The estimate must include contact information for the shop, vehicle identification information, a description of the problem you want repaired, and a choice of alternative reported by the customer or the specific repairs requested by the customer; and a choice of alternatives for parts types (OEM or aftermarket) and other alternatives listed under RCW 46.71.025 (<https://app.leg.wa.gov/RCW/default.aspx?cite=46.71.025>).

A copy of the estimate must be given to you before charging you for parts or labor.

### **What are my rights when dealing with the repair shop?**

You have a right:

- To a written price estimate for the repairs before you authorize them.
- To ask the repair shop to get your authorization if the repair cost will exceed the estimate.
- To ask for the damaged parts to be shown or returned to you, if you want them, before the work is done.

The repair shop must prominently display a readable sign that lists these rights.

### **What if the estimate is less than the final invoice?**

The repair shop must give you a written invoice after all the work is done. Compare it to the original authorized estimate. The final invoice can't be more than 10% of the written estimate without your agreement. If there are charges beyond 10% of the estimate, you should have authorized them before the shop made the repairs. **Example:** The repair estimate is \$200. They could charge you up to \$220.

You can authorize repairs over the phone verbally, without a written authorization.

### What must be on the invoice?

If the repair work is performed **under warranty or without charge to the customer**, (other than any deductible) the repair facility is not required to provide any pricing information for parts or labor. The repair facility must give you either an itemized list of the parts supplied, or describe the service performed on the vehicle.

Unless the repair work is performed under warranty or without charge to the customer, the invoice must include all these:

- All parts and labor.
- A description of the repair or maintenance services.
- A list of all parts used, with name and part number, if available.
- If a part kit was used, then it must have the part kit description.
- A list of any package or shop supplies used if any.

- Information showing whether the parts supplied are rebuilt or used parts if applicable or when the repair is for damage from a collision.
- Information showing whether parts were aftermarket body parts or nonoriginal equipment manufacturer body parts.
- The price per part charged (if applicable).
- The total amount charged for all parts (if parts were used).
- The total amount charged for all labor.
- The total overall charge.
- The invoice must be given to you once the repair is completed.

Parts and labor don't need to be separately listed if pricing is part of an advertised special, a pre-disclosed written repair menu item, or a routine service package.

### Does the law cover all repairs?

Yes, including

- **Diagnosis** of repairs needed.
- Repairs needed because of a **collision**.
- **Mechanical** components. These include exhaust, brakes, windshields, and frames.
- **Electrical** components.
- **Engine** repairs. This includes tune-ups.

### Does the law guarantee repair work?

No. Discuss any warranty with the repair shop **before** you authorize any work. Demand a written copy of their warranty. The shop is also supposed to keep a

copy of the estimate and invoice for 1 year after the repairs are completed. They should be able to give you a copy if you ask for one during that year.

### **What is prohibited under the law?**

The repair shop can't:

- have advertising that is false, deceptive, or misleading (unless it was a single or isolated media mistake).
- understate or misstate the estimated price for a specified repair procedure in a "material" way. The final invoice should be what you agreed you generally. Anything more than 10% of the estimate should have been approved by you.
- keep your payment for parts that weren't delivered or installed.
- keep your payment for a labor operation or repair procedure that wasn't actually performed.
- drive or operate your vehicle for purposes not related to repair or diagnosis.
- fail or refuse to provide you (upon request) a free copy of any document you signed.
- take duplicative payment from both you and the warranty or extended service contract provider for the same covered component, part, or labor.
- charge you for unnecessary repairs. An "unnecessary repair" is any repair which isn't reasonable related to the service you asked for. A repair could be **reasonable** if:
  - the unnecessary repair service is consistent with specifications established by law or the manufacturer of the motor vehicle, component, or part that is related to the original repair you requested.

- the unnecessary repair is in accordance with accepted industry standards.
- the unnecessary repair was performed because you specifically requested it.

### **What is a Possessory Lien?**

A repair shop generally can keep your vehicle until you have paid all repair costs. When the repair shop does it is called a “possessory lien”. The repair shop can’t do this **if one of these is true**:

- You asked them to return all repaired parts to you. They did not.
- They charged you over 110% of the written repair estimate.
- You didn’t authorize (tell them to do) the repair.
- They didn’t post the Customers Rights sign.

### **What if they will not give my car back?**

If they wrongfully refuse to give back your car, you can:

- Pay to get your car back. Then sue in [Small Claims Court](#) for up to \$10,000 to get your money back
- [Get help from a lawyer](#)

### **What if I’m not happy with the repairs?**

Try to work with the shop to fix the problems. If that doesn’t work, you can do the following:

- Sue in Small Claims Court () for up to \$10,000 in damages or
- [Get help from a lawyer](#)

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