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**SUBSTITUTE SENATE BILL 6005**

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**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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