

By Mr. McGee of Lynn, petition of Robert H. Quinn and Thomas W. McGee for legislation to regulate consumer goods repair dealers. Government Regulations.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Five.

AN ACT REGULATING CONSUMER GOODS REPAIR DEALERS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 93 of the General Laws is hereby amended by adding
2 after section 70 the following new section: —

3 *Section 71.* For purposes of this section “consumer goods
4 repair dealer” means any person who, for compensation,
5 engages in the business of repairing or diagnosing malfunctions
6 of automobiles, or of movable goods which are used or
7 purchased for use primarily for personal, family, or household
8 purposes.

9 No repairs shall be undertaken by a consumer goods repair
10 dealer without written authorization of the owner or his
11 authorized agent for repairs to the consumer goods in question.
12 A consumer goods repair dealer shall give to the customer a
13 written estimated price for labor and parts necessary for the
14 repair of the customer’s consumer goods, whether or not the
15 customer requests such an estimate, and shall not charge for
16 work done or parts supplied in excess of the estimated price
17 without the oral or written consent of the customer, which shall
18 be obtained within a reasonable time after it is determined that
19 the estimated price is insufficient and before the work not
20 estimated is done or the parts not estimated are supplied. If the
21 estimate is exceeded without the oral or written consent of the
22 customer, the customer shall be entitled to the return of his
23 consumer goods upon payment of the estimated price. No fee
24 for an estimate shall be charged unless the consumer goods

25 repair dealer discloses to the customer in advance of making the
26 estimate the amount of said fee.

27 The consumer goods repair dealer shall return replaced parts
28 to the customer excepting such parts as may be exempted
29 because of size, weight, or other similar factors from this
30 requirement by Regulations of the Attorney General, and
31 excepting such parts as the consumer goods repair dealer is
32 required to return to the manufacturer or dealer under a
33 warranty arrangement.

34 No person on whose behalf the repair of consumer goods has
35 been made shall be liable for payment thereof which is not
36 presented in a written bill containing at least the description of
37 the work performed, description of parts (including catalogue
38 number) and cost of each part and the total cost of parts and the
39 number of hours of labor, the cost per hour, and the total cost
40 of labor.

41 Failure to comply with the provisions of this section shall
42 constitute an unfair or deceptive practice under the provisions of
43 chapter ninety-three A.