

HOUSE BILL NO. 5149

October 28, 2025, Introduced by Reps. Neyer, DeSana, Steckloff, McKinney, Harris, Hoskins, Brixie, Hope, Scott, Martus, Bierlein, Price, Dievendorf, McFall, Wooden, Glanville, Foreman, Myers-Phillips, Young, Paiz, Skaggs, Breen, Conlin, BeGole, Hoadley and Edwards and referred to Committee on Regulatory Reform.

A bill to amend 1974 PA 300, entitled
"Motor vehicle service and repair act,"
by amending sections 7e and 32 (MCL 257.1307e and 257.1332),
section 7e as added and section 32 as amended by 2016 PA 430.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 7e. A motor vehicle repair facility that is subject to
2 this act, or a person that is an owner or operator of a motor
3 vehicle repair facility that is subject to this act, shall not,
4 directly or through an agent or employee, do any of the following:
5 (a) Unless legally waived by the customer, fail to give the

1 customer a written estimate **that includes any applicable fees and**
2 **anticipated storage charges** before beginning work on a motor
3 vehicle.

4 (b) Charge for work done or parts supplied in excess of the
5 estimated price without the knowing consent, orally or in writing,
6 of the customer.

7 (c) Fail to give a customer an estimate for the cost, if any,
8 of reassembly, disassembly, or diagnosis.

9 (d) Fail to inform a customer, at a time before the customer
10 executes a document or engages the facility for the work, by the
11 use of a notice required under section 33, of ~~his or her~~ **the**
12 **customer's** right to receive or inspect replaced parts for which ~~he~~
13 ~~or she~~ **the customer** will be charged in the repair of ~~his or her~~ **the**
14 **customer's** motor vehicle.

15 (e) Fail to retain a customer waiver with the records retained
16 by the facility concerning the transaction.

17 (f) Charge a customer storage charges **while the vehicle is**
18 **under repair or** if there is a dispute concerning repair charges. If
19 a delay in repairs is caused by a lack of parts, a facility may
20 charge for storage after informing the customer of the approximate
21 length of the anticipated delay and of the daily storage charge
22 rate and obtaining the customer's consent to the delay and the
23 storage charges.

24 (g) Fail to comply with the truth in lending act, 15 USC 1601
25 to 1667f, and the retail installment sales act, 1966 PA 224, MCL
26 445.851 to 445.873, if the customer finances repairs through the
27 facility.

28 (h) Fail in practice to comply with advertised or stated
29 payment policies.

1 (i) Conspire with another to fix prices.

2 (j) Conspire with another to allocate the market between them.

3 (k) Fail to notify a customer of an exchange agreement and
4 charges for exchange parts if the customer wishes to have those
5 parts returned.

6 (l) Fail to disclose, on the customer's request, the method
7 used by a facility to compute labor charges.

8 Sec. 32. (1) Before beginning repair work, a motor vehicle
9 repair facility shall give to the customer a written estimate that
10 itemizes as closely as possible the price for labor and parts
11 necessary for the work **and any applicable fees and charges for the**
12 **proposed work, not including any applicable sales taxes.** A facility
13 shall not charge for work done, ~~or~~ parts supplied, **or fees and**
14 **charges** in excess of the estimated price, or in excess of the limit
15 stated by the customer in the waiver described in subsection (3),
16 without the knowing written or oral consent of the customer,
17 obtained at some time after the facility determines that the
18 estimated price or stated limit is insufficient and before any work
19 that is not estimated or is in excess of the limit is done or the
20 parts that are not estimated or are in excess of the limit are
21 supplied. If a waiver is not signed under subsection (3) and the
22 estimated price is exceeded by not more than 10% or \$50.00,
23 whichever is lesser, the facility is not required to obtain the
24 written or oral consent of the customer for the excess charge
25 unless specifically requested by the customer. This section ~~shall~~
26 **does not be construed as requiring require** a motor vehicle repair
27 facility, mechanic, or mechanic trainee to give a written estimated
28 price if the facility, mechanic, or trainee agrees not to perform
29 the requested repair. If the actual cost of a repair is less than

1 the agreed on estimated cost, the customer shall pay only the
2 actual cost.

3 (2) If a facility or mechanic informs the customer that the
4 price for repair will exceed the written estimate or the stated
5 limit in the waiver and the customer does not want the repair work
6 performed, the customer is responsible for all reasonable costs to
7 return the vehicle to the condition ~~it~~**the vehicle** was in at the
8 time ~~it~~**the vehicle** entered the facility. The facility shall
9 indicate those costs in written form, itemizing the costs as
10 closely as possible with a copy given to the customer. The cost of
11 a diagnosis made by the facility, whether or not the customer
12 authorizes the facility to perform those repairs, ~~shall~~**must** be
13 included in the written estimate before the diagnosis is
14 undertaken.

15 (3) If a customer initiates a request for service or parts for
16 the repair of a motor vehicle without receiving a written estimate
17 and voluntarily agrees to pay all reasonable costs of repair up to
18 an amount stated by the customer, a facility may obtain from the
19 customer a waiver of ~~his or her~~**the customer's** right to receive a
20 prior estimate of repair costs. The waiver ~~shall~~**must** be in 14
21 point or larger bold capital type face and executed with 1 copy to
22 the customer who is requesting the repairs. The waiver ~~shall~~**must**
23 read as follows:

24 "I, _____, voluntarily authorize _____ to provide
25 services or parts in the repair of the below described motor
26 vehicle without receiving an estimate of repair costs. By signing
27 this form, I understand that I will give up my right to:

- 28 1. Receive a written estimate of the cost for repairs;
29 2. Approve in advance any repairs or costs with a total cost

1 under \$ _____; and

2 3. Refuse to pay for repairs with a total cost less than the
3 amount stated above.

4 The facility may exceed the amount stated above only after I
5 give my written or oral approval.

6 Motor vehicle description:

7 Customer signature _____

8 Date _____

9 Time _____".

10 (4) A waiver described in subsection (3) is not effective
11 unless ~~it~~**the waiver** is given by the customer voluntarily and with
12 full knowledge of the implications of the waiver. A motor vehicle
13 repair facility or anyone in ~~its~~**the facility's** employ shall not
14 make use of a waiver described in subsection (3) in an attempt to
15 evade this act.

16 (5) A motor vehicle repair facility shall at all times
17 display, in a place and manner conspicuous to ~~its~~**the facility's**
18 customers, a current and valid certificate of repair facility
19 registration issued by the administrator.

20 (6) A motor vehicle repair facility shall include ~~its~~**the**
21 **facility's** registration number, as assigned by the administrator,
22 on each copy of any instrument, form, contract, or other document
23 used by the applicant in dealing with the public in the repair of
24 motor vehicles, including, but not limited to, all of the
25 following:

26 (a) Any document on which the facility routinely requires the
27 customer's signature.

28 (b) Any document used by the facility in connection with
29 providing estimates, diagnoses, or repairs.

- 1 (c) Any invoices, warranties, or waivers.
- 2 (d) Any other document used by the facility to comply with
- 3 this act or rules promulgated under this act.