

Annotated Code of Maryland

Title 14. Miscellaneous Consumer Protection Provisions

Article - Commercial Law

§14-1001.

- (a) In this subtitle the following words have the meanings indicated.
- (b) “Automotive repair facility” means any person who diagnoses or corrects malfunctions of a motor vehicle for financial profit.
- (c) “Motor vehicle” has the meaning stated in Title 11 of the Transportation Article.
- (d) “Person” includes an individual, corporation, business trust, estate, trust, partnership, association, two or more persons having a joint or common interest, or any other legal or commercial entity.

§14-1002.

- (a) (1) Before beginning any repair work on a motor vehicle for which a customer is charged more than \$50, an automotive repair facility shall give the customer on the customer’s request a written statement which contains:
 - (i) The estimated completion date;
 - (ii) The estimated price for labor and parts necessary to complete the work;
 - (iii) A clear statement that while the customer’s motor vehicle is on the premises of the automotive repair facility, the automotive repair facility may not be responsible for damage to the customer’s motor vehicle under certain circumstances, and that the customer should ask a representative of the automotive repair facility about the extent of its responsibility, including the extent of the insurance coverage of the automotive repair facility; and
 - (iv) The estimated surcharge, if any.
- (2) If the fee is disclosed to the customer before the estimate is made, the automotive repair facility may charge a reasonable fee for making the estimate.
- (b) An automotive repair facility may not charge a customer without his consent any amount which exceeds the written estimate by 10 percent.
- (c) An automotive repair facility is not liable for breach of the written estimated completion date for a repair if the delay is caused by:
 - (1) An act of God;
 - (2) Strike;
 - (3) Unexpected illness; or

(4) Unexpected shortage of labor or parts.

(d) This section does not require an automotive repair facility to give a written estimate if the facility does not agree to perform the requested repair work.

§14–1003.

(a) An automotive repair facility shall prepare an invoice which describes:

(1) All work done by it, including all warranty work; and

(2) All parts supplied by it.

(b) The invoice shall state clearly:

(1) If any used, rebuilt, or reconditioned parts have been supplied or if a part of a component system supplied is composed of used, rebuilt, or reconditioned parts; and

(2) That while a customer's motor vehicle is on the premises of the automotive repair facility, the automotive repair facility may not be responsible for damage to the customer's motor vehicle under certain circumstances, and that the customer should ask a representative of the automotive repair facility about the extent of its responsibility, including the extent of the insurance coverage of the automotive repair facility.

(c) The invoice shall include the following notice:

“Manufacturer Special Policy Adjustment Programs

Federal law requires manufacturers to furnish the National Highway Traffic Safety Administration (N.H.T.S.A.) with bulletins describing any defects in their vehicles. You may obtain copies of these bulletins from either the manufacturer or N.H.T.S.A. In addition, certain consumer publications or organizations publish this information, which may be available for a fee or for free.”

(d) After the customer signs the invoice, the automotive repair facility shall give the customer a copy of it and retain a copy.

§14–1004.

(a) Except as provided in subsection (b) of this section, an automotive repair facility shall tender return of all replaced parts to the customer.

(b) Subsection (a) of this section does not apply to replaced parts which are required to be returned to the manufacturer or distributor under a warranty agreement.

§14–1005.

This subtitle does not:

(1) Prohibit a person from filing an action for damages against an automotive repair facility; or

(2) Require a person first to exhaust any administrative remedy he may have.

§14–1006.

An automotive repair facility may not charge the customer for repairs not originally authorized or requested by the customer. Additional repairs may be charged to the customer if the automotive repair facility receives written or oral permission from the customer.

§14–1007.

Any person aggrieved by a violation of any provision of this subtitle may take any action available under the consumer protection title of this article. Complaints may be filed with the Consumer Protection Division of the Office of the Attorney General.

§14–1008.

(a) Except as provided in subsection (c) of this section, before beginning any repair work on a motor vehicle, an automotive repair facility shall give the customer a copy of a form used for authorization of repairs which shall inform the customer of the following rights:

(1) That a customer:

(i) May request a written estimate for repairs which cost in excess of \$50; and

(ii) May not be charged any amount ten percent in excess of the written estimate without the customer's consent;

(2) That the customer is entitled to the return of any replaced parts except when parts are required to be returned to the manufacturer under a warranty agreement; and

(3) That repairs not originally authorized by the customer may not be charged to the customer without the customer's consent.

(b) The customer's rights provided in subsection (a) of this section shall be:

(1) Displayed immediately before the space for the signature of the customer 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 "Customer's Rights".

(c) (1) An automotive repair facility may inform the customer orally of the customer's rights if:

(i) The customer's motor vehicle is towed to the automotive repair facility for repair; or

(ii) The customer leaves the vehicle for repair at the repair facility when the facility is not open.

(2) Under this subsection, if any automotive repair facility informs a customer orally of the customer's rights, the facility shall record in writing:

(i) The name of the persons notified;

(ii) The date and time of the notification; and

(iii) The signature of the person who made the notification.

(d) The authorization form shall include the following notice:

“Manufacturer Special Policy Adjustment Programs

Federal law requires manufacturers to furnish the National Highway Traffic Safety Administration (N.H.T.S.A.) with bulletins describing any defects in their vehicles. You may obtain copies of these bulletins from either the manufacturer or N.H.T.S.A. In addition, certain consumer publications or organizations publish this information, which may be available for a fee or for free.”

(e) The authorization form shall include a clear statement that while the customer's motor vehicle is on the premises of the automotive repair facility, the automotive repair facility may not be responsible for damage to the customer's motor vehicle under certain circumstances, and that the customer should ask a representative of the automotive repair facility about the extent of its responsibility, including the extent of the insurance coverage of the automotive repair facility.

§14-1009.

A violation of any provision of this subtitle is an unfair or deceptive practice within the meaning of Title 13 of this article and is subject to the enforcement and penalty provisions contained in Title 13 of this article.