



Rep. JoAnn D. Osmond

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09600HB2921ham001

LRB096 05878 KTG 24844 a

1 AMENDMENT TO HOUSE BILL 2921

2 AMENDMENT NO. _____. Amend House Bill 2921 by replacing
3 the title with the following:

4 "AN ACT concerning business."; and

5 by replacing everything after the enacting clause with the
6 following:

7 "Section 5. The Automotive Collision Repair Act is amended
8 by changing Sections 15 and 75 as follows:

9 (815 ILCS 308/15)

10 Sec. 15. Disclosure to consumers; estimates.

11 (a) No work for compensation that exceeds \$100 shall be
12 commenced without specific authorization from the consumer
13 after the disclosure set forth in this Section.

14 (b) Every motor vehicle collision repair facility shall
15 either (i) give to each consumer a written estimated price for

1 labor and parts for a specific repair and shall not charge for
2 work done or parts supplied in an amount that exceeds the
3 estimate by more than 10% without oral or written consent from
4 the consumer; or (ii) give to each consumer a written price
5 limit for each specific repair and shall not exceed that limit
6 without oral or written consent of the consumer. The estimate
7 shall include the total costs to repair the motor vehicle.

8 Estimates shall include all charges to be paid by the
9 consumer to complete the repair, including any charges for
10 estimates, diagnostics, storage, and administrative fees.

11 (c) Motor vehicle collision repair facilities shall
12 describe in the estimate the major parts needed to effectuate
13 the repair and shall designate the parts as either new parts,
14 used parts, rebuilt or reconditioned parts, or aftermarket
15 parts as set forth in Section 10 of this Act.

16 (d) Estimates shall indicate that the collision repair
17 facility may use a combination of industry standard flat rate
18 (time) manuals, actual time, estimating system, or condition of
19 the motor vehicle to determine labor costs or repair
20 procedures. No repairer shall allow a person who is not a party
21 to the contract of repair to influence or mandate the method of
22 estimating labor costs or repair procedures. This disclosure
23 mandate may also be fulfilled by means of a sign that provides
24 the same information to the consumer. The sign shall be posted
25 at a location that can be easily viewed by the consumer.

26 (e) If it is necessary to disassemble or partially

1 disassemble a motor vehicle or motor vehicle component in order
2 to provide the consumer a written estimate for required
3 repairs, the estimate shall show the cost of any disassembly if
4 the consumer elects not to proceed with the repair of the motor
5 vehicle.

6 (f) The estimate shall include the date the estimate was
7 prepared or the date the motor vehicle was presented to the
8 collision repair facility for repair and the odometer reading
9 on the motor vehicle at the time the motor vehicle was left
10 with the collision repair facility.

11 (Source: P.A. 93-565, eff. 1-1-04.)

12 (815 ILCS 308/75)

13 Sec. 75. Violations. Whenever an automotive collision
14 repair facility is knowingly engaged in unlawful acts or
15 practices as outlined in this Act it is ~~or has knowingly~~
16 ~~engaged in a persistent practice or pattern of conduct at a~~
17 ~~single location that violates this Act, that, knowingly,~~
18 ~~persistent practice or pattern of conduct shall be~~ deemed an
19 unlawful act or practice under the Consumer Fraud and Deceptive
20 Business Practices Act. All ~~In the case of knowing, persistent~~
21 ~~practice, or pattern of conduct, all~~ remedies, penalties, and
22 authority available to the Attorney General and the several
23 State's Attorneys under the Consumer Fraud and Deceptive
24 Business Practices Act for the enforcement of that Act shall be
25 available for the enforcement of this Act.

1 (Source: P.A. 93-565, eff. 1-1-04.)

2 Section 99. Effective date. This Act takes effect upon
3 becoming law.".