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New life given consumer in auto repair court riff

By JACKIE KLEIN

After more than three years of bitter legislative and court battles, state car owners finally have an auto repair protection law with teeth, according to a Michigan Citizens Lobby (MCL) representative.

MCL was instrumental in passage of the law in March, 1975, according to Doug Ross, head of the Southfield-based lobbying group. Dealers went to Ingham County Circuit Court and obtained an injunction against the legislation before it went into effect. That injunction was lifted Oct. 13, Ross said.

The court ruling represents a major victory for car owners," Ross said in an Oct. 15 press conference in a Southfield service station. "There were some changes, but

the law is comprehensive and it's a good one."

The court left virtually unchanged the car owners' rights and protections defined in the law, Ross said. It does, however, shift enforcement powers from the secretary of the state to the attorney general and prosecutor's office, a measure MCL hopes to appeal.

"UNDER THE law," Ross explained, "the repair facility must give you a written cost estimate in advance that can't be exceeded without your permission. You have the right to see and keep all replaced parts from your car."

"The law also provides that the repair facility must give you a detailed written statement when you pick up your car, listing what was wrong with it, what was done to it, what wasn't repaired, who did the actual work, and an itemization of all labor and parts costs."

The second major portion of the law, a program for upgrading skills of Michigan mechanics by requiring them to pass skill tests in their specialties, was untouched by court action, Ross said.

By Jan. 1, 1981, every mechanic in the state will be required to demonstrate a working knowledge of auto repair through a certification program administered by the secretary of state, Ross said.

"IT WAS only in the area of enforcing the law's provisions that the court ordered some changes," Ross said. "While we will have to await a ruling by the attorney general to be certain of the precise consequences of the court-ordered changes, we believe they will include certain provisions."

"Car owners will still have the right given them under the original statute to take auto repair complaints to the Bureau of Automotive Regulation in the Department of State. This office will retain the authority to investigate complaints and attempt to mediate disputes between car owners and repair facilities."

If mediation fails, Ross said, the secretary of state would no longer have the power to conduct a hearing that could result in suspension or revocation of a repair facility's license. The case would be turned over to the attorney general or county prosecutor, he said.

"WE HAVE asked the attorney general to immediately appeal this change," Ross said. "Now that we have a good law, it's our job to make it work and reduce criminal levels of incompetence and dishonesty in the auto repair industry that have

plagued Michigan car owners for years."

Ross claims dealers went to court to complain the law was too restrictive because auto repairs are impossible to estimate. He maintains some service station operators favor the law as protection against consumer complaints.

Wally Robertson, who operates a full-service Shell station at Eight Mile and Evergreen, said his establishment is registered as a motor vehicle auto repair facility. He maintains the consumer will not realize a cost saving from the law.

"I believe small operators give customers a better shuffle than large ones and these operators will still give estimates on the high side. What if they quote a price of \$100 to put in a clutch and find out all it needs is a bolt? Estimates are almost impossible to give because of the many hidden parts in an automobile."

Robertson said Shell Oil Co. dealers have problems with customers with credit cards who refuse to pay, claiming they're not satisfied with the service. Often, the amount owed doesn't warrant legal action, he said.

"THIS IS a situation in which the consumer has an escape, but he's abusing his credit," Robertson said. "In some cases, dealers will try to recover their losses with high auto repair estimates and the average customer may come out on the losing end."

Robertson, who operated a Total station in Southfield for 10 years before the oil company converted the facility to a gas and oil sales only outlet, said one controlling force is trust.


"It's a benefit to do business with an auto repair dealer in whom you have confidence," he said. "But we all get stranded on occasion and we're at someone else's mercy. If the law acts as a modulator to prevent abuse, it may have some merit."

About certification of auto mechanics, I think that's asking a repair man a few questions and giving him a license to steal. In the long run, the consumer will pay the price.

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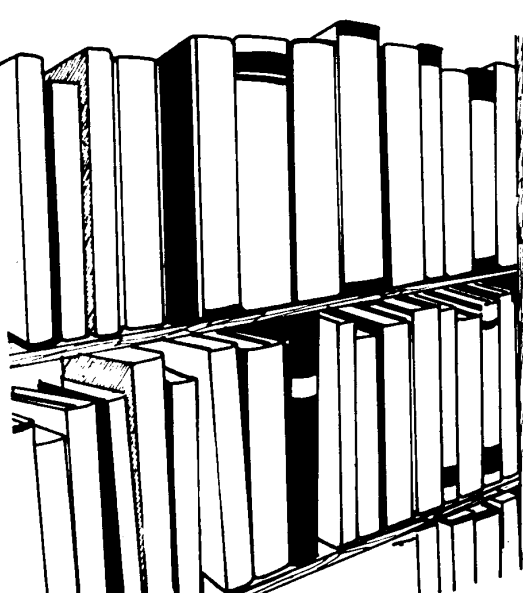
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