

**Senate File 2048 - Introduced**

SENATE FILE 2048

BY CHELGREN

**A BILL FOR**

1 An Act requiring motor vehicle repair suppliers to obtain  
2 written authorization prior to imposing charges related to  
3 estimate costs, and making penalties applicable.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 537B.3, Code 2018, is amended by adding  
2 the following new subsection:

3 NEW SUBSECTION. 4. If a consumer requests a written or  
4 oral estimate of repairs or service, the supplier shall obtain  
5 written authorization from the consumer for the imposition of  
6 any charge related to the cost of conducting the estimate.  
7 Such written authorization shall be obtained prior to the  
8 commencement of the estimate and the imposition of any  
9 such charge and shall be retained by the supplier until the  
10 completion and final billing for any repairs or service.

11 EXPLANATION

12 The inclusion of this explanation does not constitute agreement with  
13 the explanation's substance by the members of the general assembly.

14 Current law allows a consumer contracting for motor  
15 vehicle repairs to request a written or oral estimate of the  
16 anticipated cost of repairs or service from a supplier of motor  
17 vehicle repairs or service. This bill requires a supplier  
18 to obtain written authorization from a consumer requesting  
19 an estimate to impose any charge related to the cost of  
20 conducting the estimate. The supplier shall obtain the written  
21 authorization prior to the commencement of the estimate and  
22 the imposition of the charge and shall be retained by the  
23 supplier until the completion and final billing of any repairs  
24 or service.

25 A supplier who violates the bill commits a deceptive act  
26 or practice pursuant to Code section 537B.6(1). A deceptive  
27 act or practice constitutes an unlawful practice under Code  
28 section 714.16, which relates to consumer frauds. Pursuant  
29 to Code section 714.16, the attorney general may investigate,  
30 issue subpoenas, and commence civil proceedings seeking  
31 restraining orders or injunctions prohibiting persons from  
32 engaging in unlawful practices or seeking termination of the  
33 business affairs of a person engaging in unlawful practices.  
34 In addition, a civil penalty of up to \$40,000 per violation may  
35 be imposed by a court against a person found to have committed

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1 an unlawful practice.