

# HOUSE BILL No. 5243

October 30, 1989, Introduced by Reps. Leland, Bankes, Rocca, Berman, Willis Bullard, Dolan, Law and DeMars and referred to the Committee on Consumers.

A bill to amend Act No. 236 of the Public Acts of 1961, entitled as amended  
"Revised judicature act of 1961,"  
as amended, being sections 600.101 to 600.9947 of the Michigan Compiled Laws, by adding section 2954.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 236 of the Public Acts of 1961, as  
2 amended, being sections 600.101 to 600.9947 of the Michigan  
3 Compiled Laws, is amended by adding section 2954 to read as  
4 follows:

5 SEC. 2954. (1) AS USED IN THIS SECTION:

6 (A) "APPLIANCE" MEANS A REFRIGERATOR, FREEZER, OVEN, RANGE,  
7 MICROWAVE OVEN, WASHER, DRYER, DISHWASHER, TRASH COMPACTOR, ROOM  
8 AIR CONDITIONER, TELEVISION, STEREO, OR OTHER ELECTRONIC  
9 COMPONENT OR DEVICE.

1 (B) "SERVICE DEALER" MEANS A PERSON WHO, FOR COMPENSATION,  
2 PROVIDES REPAIR OR MAINTENANCE SERVICE ON AN APPLIANCE NOT OWNED  
3 BY THAT PERSON.

4 (2) A PERSON SHALL NOT ACT AS A SERVICE DEALER WITHOUT COM-  
5 PLYING WITH THIS SECTION.

6 (3) A SERVICE DEALER SHALL PROVIDE A WRITTEN ESTIMATE PRIOR  
7 TO PROVIDING REPAIR OR MAINTENANCE SERVICES WHICH SHALL INCLUDE  
8 ALL OF THE FOLLOWING:

9 (A) IF A REPAIR, A DIAGNOSIS OF THE PROBLEM.

10 (B) AN ESTIMATE OF THE COST OF PARTS, AND WHETHER THOSE  
11 PARTS ARE NEW OR NOT.

12 (C) AN ESTIMATE OF THE COST OF LABOR.

13 (4) A SERVICE DEALER SHALL NOT CHARGE A CUSTOMER MORE THAN  
14 THE AMOUNT INDICATED IN THE ESTIMATE WITHOUT THE CONSENT OF THE  
15 CUSTOMER.

16 (5) UPON A SUIT BROUGHT BY A CUSTOMER AGAINST A SERVICE  
17 DEALER IN A COURT OF COMPETENT JURISDICTION, A SERVICE DEALER  
18 FOUND NOT COMPLYING WITH THIS SECTION IS LIABLE FOR THE GREATER  
19 OF EITHER OF THE FOLLOWING:

20 (A) ACTUAL DAMAGES TO THE CUSTOMER.

21 (B) TWO HUNDRED DOLLARS PLUS REASONABLE ATTORNEY FEES.