



Legal Insurance



An Overview of *Auto Repair*

For most of us, our vehicles play a major role in our lives. We spend a lot of time in them, and they're one of the more significant investments we make. Yet, most of us don't really understand how they run and tend to be easily intimidated by mechanics when we need to get them repaired.

This guidebook is designed to give you information about finding, selecting and working with a mechanic so you are more likely to get the results you are looking for and are better able to resolve conflicts if they happen.

First Things First

Get to know your car's manual. It has basic information you can use when you go for repairs and can help you better describe the symptoms behind your repair request. You may also want to check out other manuals written about your car and online sources for repair shops that may have customer feedback.

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How to Choose a Repair Shop

Whether you take your car in for an oil change or need to replace a transmission, you want to trust that your car will be in good hands. Here's how you can narrow your choice from all the repair shops available and help ensure you'll get the service you're looking for:

- Ask for recommendations from people you trust.
 - Compare price quotes and warranty policies from several shops.
 - Find out if state or local law requires repair shops to be licensed or registered and, if so, ask to see current licenses.
 - Check with your state attorney general's office, Better Business Bureau® or local consumer protection agency to see if there is a record of complaints about the repair shop you're considering.
 - Make sure the shop will honor your vehicle's warranty.
- Look for shops that display certifications such as a current Automotive Service Excellence seal. While these don't represent a guarantee, they, at minimum, indicate that technicians meet basic standards of competence in specific technical areas.
 - If your car is still under a manufacturer's warranty, you can check with the service department of the dealer that sold you the car or the service departments of other dealers of that make and model.



Understanding Repair Charges

Some shops charge a flat rate for labor based on an independent estimate of the time it will take to complete repairs. Other shops charge an hourly rate based on the actual time the technician worked.

Many, if not most, repairs (once the repair need is diagnosed) have been analyzed for the process and labor time required to make the repair. These repair shop and labor estimating guides for particular car models and years can be found online and you can purchase access to that guide. If you know the cost of repair parts and the time for labor, then you can compare repair shops by looking at their posted hourly rates.

While some shops provide a free estimate, many charge for diagnostic time. Shops that only do diagnostic work and that don't sell parts or repairs may be able to give you a more objective opinion about what repairs are necessary.

Consider getting several estimates, especially if your repairs are expensive, complicated or if you have questions about what needs to be done. When you decide to get the work done, ask for a written estimate.

Certain types of car problems, such as a transmission problem, require a "breakdown" to diagnose. Reassembly without repair may be very difficult, if not impossible. The most important consideration when a major repair is involved is that you have a reputable and competent mechanic for this type of work.

Know Before You Go

Research average repair costs online using websites like [RepairPal.com](https://www.RepairPal.com).

Enter the make, model and year of your car, along with the repair needed and your ZIP code, and the site shows you a price range for that repair in your city. It even breaks down the cost by parts and labor.

Written Estimates

Be sure you get a signed copy of the written estimate that includes the following:

- Condition to be repaired
- Needed parts
- Estimated labor charges
- Statement requiring your preapproval before adding any work exceeding a certain amount of time or money. Some state laws may require this.

Warranties on Vehicle Repairs

If your repair comes with a warranty, make sure you understand what is covered and get it in writing. Warranties are often subject to deductibles and limitations regarding time or mileage, so be sure you understand what is and isn't covered.

After the Work Is Done

Get a completed repair order that lists:

- Each repair
- Parts supplied
- Cost of each part
- Labor charges
- Odometer readings for when you brought the car in and when the work was done
- Also, ask to see all replaced parts



If Problems Happen

What if your car seems to run worse after repairs? If you strongly believe the repair shop did something wrong, you'll have options to resolve the problem on your own – or pursue legal action if you must. In either situation, you'll need to take these steps:

1

Get the used parts from your repairs.

Getting your used parts is a good idea any time you have major work done. If the garage will not give them to you, send a written request and keep a copy. If you still don't receive parts, you are at least able to demonstrate to the court that you asked.

2

Have your car checked by an expert.

While it's possible to get a free estimate from a repair shop, you may be better off paying someone to look at the need for repairs thoroughly. If necessary, the mechanic may testify on your behalf in small claims court or, at minimum, may write a letter stating what's needed.

3

Negotiate.

With more evidence, you may be able to call and ask the first repair shop to redo the work or discuss a refund. If they agree to take the car back, insist on a written agreement detailing what they'll do and how long it will take. Talk to the mechanic who'll actually work on the car to be sure you both understand what needs to be done. Giving the repair shop a chance to make amends is usually easier to negotiate than getting a refund. Plus, if you need to sue and you refused an option to have them fix the problem, you may have a weaker case.

4

Write a demand letter.

If you are still not satisfied, write a formal demand letter that is short, polite and written with the expectation that a judge will read it. While formally switching your negotiations to a written format often prompts a settlement, keep in mind that this letter will become evidence for your case if you need to go to small claims court. Your letter should be written politely, state the facts and avoid confrontation. You'll also want to be sure it is typed and sent via certified mail with a return receipt requested. Be sure to keep a copy for your files.

Here are the details you'll want to include in your demand letter:

- Contact information for the repair shop
- Your contact information
- Year, make and model of your vehicle
- Details about the initial repairs requested, including the date and fees you and the mechanic negotiated
- Details about issues resulting from repairs, including the date you first noticed them
- Details about how you've attempted to solve the problem with the repair shop, including dates and responses received
- What you need to settle the case, either a dollar amount and/or actions to be taken
- Deadline for the repair shop to respond to your demand
- What you intend to do if the repair shop doesn't respond

5

Consider filing in court.

If you still don't get the response you need, file your papers at the small claims court clerk's office in the county where the garage is located. If your state or locality has a motor vehicle repair law that the repair shop did not follow, consider asserting a claim or defense based on the violation.

6

Prepare for court.

Research your situation further (read car manuals, discuss with a mechanic, etc.) so you can explain to a judge (who is not a mechanic) why the original repairs were substandard.

7

Appear in court.

Be sure you are well organized – have all the letters you've written and received, written warranties, photographs and used parts if they help make your case. If you have a witness to statements made by the garage, bring that person with you to court or, if that's not possible, ask the witness to write a letter explaining what he or she heard.



Repair Shop Rights

Remember that your repair shop has legal rights as well. Confirm your state laws since some allow a repair shop to place a lien on your car if the car is in the shop's possession in the event of a dispute.

Also, if there is a dispute and you don't retrieve your car, the repair shop may charge daily storage for the vehicle. When a dispute over charges arises, you may need to retrieve the car — without waiving your rights to pursue damages for improper repair claims.



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