

SB

347



Official Business

Alaska State Legislature

House of Representatives

House Transportation Committee

P. O. Box V
Juneau, Alaska
99811

Phone:
(907) 465-4859

March 11, 1988

COMMITTEE CALENDAR:

SB 347: "An Act relating to regulation of motorboat
motor repairs."

FOR THIS MEETING, YOU HAVE BEEN GIVEN:

a folder on SB 347 that includes:

- item #1: SB 347
- #2: fiscal note - Senate State Affairs
- #3: a statement from Senator Duncan
- #4: statutes
- #5: letters - one for, one against

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: An Act relating to the
regulation of motorboat repairs
Sponsor: Duncan
Requestor: _____

Agency Affected: _____
BRU: _____

Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Senate State Affairs Committee Phone: 465-4522
Division: _____ Date: _____
Approved by Senator Mitch Abood Date: 1-28-88
Agency: Senate State Affairs Committee

Distribution (by preparer):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)



Alaska State Legislature

SENATOR JIM DUNCAN

P. O. BOX V JUNEAU, ALASKA 99811

(907) 465-4766

COMMITTEES:
FINANCE
RESOURCES
BUDGET AND AUDIT

MEMORANDUM

March 10, 1988

TO: Representative Bette Cato, Chairman
House Transportation Committee

FROM: Senator Jim Duncan

SUBJECT: SB 347 am "An act relating to the regulation of
motorboat motor repairs".

Thank you for scheduling SB 347 am for a hearing. SB 347 am amends the definition section of the current law relating to the Regulation of Motor Vehicle Repairs to include motorboat motors and defines motorboats and motorboat motors.

Currently under AS 45.45, motor vehicle repair, when a customer takes his motor vehicle to a shop for repair the customer may request a written estimate prior to the commencement of any repairs. Nothing in this section requires a shop to provide a price estimate if the shop does not agree to perform the requested repairs. If the shop has given the customer an estimate and the price for the authorized repairs exceeds the estimate, the shop must call the customer before continuing with the repairs and at that time the shop has the opportunity to give the customer a new estimate. Also if the customer requests, at the time the repair order is taken, the customer may elect to receive the parts of their motor vehicle that are replaced.

Essentially 45.45 Regulation of Motor Vehicle Repairs is a consumer protection law. SB 347 am will provide the same protection for boat owners as for motor vehicle owners under AS 45.45.

My office was contacted by an individual who needed to have his boat engine repaired. A verbal estimate by the boat dealership indicated the repairs would cost \$4,500.00. When the dealership was finished repairing the engine the total bill was over \$7,000.00. There was no indication to the owner at any time prior to the billing that the amount due would be over the original estimate.

With the large number of boat owners in our state and the fact that for many their boat is an important means of transportation, I believe this bill will extend the necessary protection for boat owners that currently exists for car owners.

Alaska Statutes

Title 45. Trade and Commerce.

Chapter

01. General Provisions (§§ 45.01.101 — 45.01.208)
02. Sales (§§ 45.02.101 — 45.02.725)
03. Commercial Paper (§§ 45.03.101 — 45.03.805)
04. Bank Deposits and Collections (§§ 45.04.101 — 45.04.504)
05. Letters of Credit (§§ 45.05.101 — 45.05.117)
06. Bulk Transfers (§§ 45.06.101 — 45.06.111)
07. Warehouse Receipts, Bills of Lading, and Other Documents of Title (§§ 45.07.101 — 45.07.650)
08. Investment Securities (§§ 45.08.101 — 45.08.406)
09. Secured Transactions; Sales of Accounts, Contract Rights, and Chattel Paper (§§ 45.09.101 — 45.09.507)
10. Alaska Retail Installment Sales Act (§§ 45.10.010 — 45.10.230)
20. Purchase of Ore (§§ 45.20.010 — 45.20.050)
30. Sales of Mobile Homes (§§ 45.30.011 — 45.30.100)
45. Trade Practices (§§ 45.45.010 — 45.45.900).
50. Competitive Practices and Regulation of Competition (§§ 45.50.010 — 45.50.900)
55. Alaska Securities Act of 1959 (§§ 45.55.010 — 45.55.270)
57. Takeover Bid Disclosure Act (§§ 45.57.010 — 45.57.120)
60. Alaska Uniform Gifts to Minors Act (§§ 45.60.011 — 45.60.101)
65. Handicrafts (§§ 45.65.010 — 45.65.070)
70. Sureties (§§ 45.70.010 — 45.70.020)
75. Weights and Measures Act (§§ 45.75.010 — 45.75.400)
77. Foreign Trade Zones (§ 45.77.010)
87. Bulk Fuel (§§ 45.87.010 — 45.87.500)
88. Alternative Energy Revolving Loan Fund (§§ 45.88.010 — 45.88.500)
89. Residential Energy Conservation Fund (§§ 45.89.010 — 45.89.500)
90. Tourism Revolving Fund (§§ 45.90.010 — 45.90.050)
92. Fishery Product Revolving Loan Guarantee Fund (§§ 45.92.010 — 45.92.060)
94. Forest Products Business Loan Guarantee Program (§§ 45.94.010 — 45.94.060)
95. Small Business Loans (§§ 45.95.010 — 45.95.080)
98. Historical District Revolving Loan Fund (§§ 45.98.010 — 45.98.070)

Article 5. Regulation of Motor Vehicle Repairs.

Section	Section
130. Repair order	180. Return of parts
140. Repair price information	190. Invoice
150. Notice to customer	200. Prohibited practices
160. Charges	210. Disclosure of regulation
170. Authorization to proceed with repairs	220. Records
	240. Definitions

Sec. 45.45.130. Repair order. Upon request of the customer and before the commencement of repairs, the shop shall provide the customer with a copy of a dated repair order legibly describing the repairs to be performed. The shop shall record the odometer reading of the customer's motor vehicle on the repair order, and shall sign the customer's copy. (§ 1 ch 146 SLA 1976)

NOTES TO DECISIONS

Cited in *State v. Grogan*, Sup. Ct. Op. No. 2356 (File No. 5199), 628 P.2d 570 (1981).

Sec. 45.45.140. Repair price information. Upon request of the customer and before the commencement of repairs, the shop shall provide the customer with a price estimate for the repairs. The repair price estimate shall be made in good faith by the shop and may not be exceeded except for good cause and additional charges over the price estimate may not be incurred without approval of the customer. Nothing in this section may be construed as requiring a shop to provide a price estimate if the shop does not agree to perform the requested repairs. (§ 1 ch 146 SLA 1976)

Sec. 45.45.150. Notice to customer. The shop shall post a conspicuously located and easily readable sign which states:

"You are entitled to a price estimate for the repairs you authorize if you request the estimate before the repairs are begun. This price estimate will not be exceeded if the motor vehicle is delivered to the shop within five days. After the motor vehicle is delivered to the shop the repair price may be less than the estimate but will not exceed the estimate without your permission. Your signature on the repair order will indicate your authorization of repairs at the price estimated.

You are entitled to the return of any or all replaced parts, except parts which must be returned to a manufacturer because of warranty and/or exchange agreement, if you request the parts at the time your order is taken. Those parts which must be returned to the manufacturer will be made available for inspection to you when you pick up your vehicle if you request the parts at the time your repair order is taken." (§ 1 ch 146 SLA 1976)

Sec. 45.45.160. Charges. A shop may not charge for making a repair price estimate unless, before making the estimate, the shop discloses to the customer the amount of the charge, or, if the amount cannot be determined, the basis on which the charge will be calculated. A shop may not impose, or threaten to impose, a charge which is clearly excessive in relation to the work involved in making the price estimate. (§ 1 ch 146 SLA 1976)

Sec. 45.45.170. Authorization to proceed with repairs. (a) If the shop has given the customer an estimate and the price for the authorized repairs will exceed the estimate, the shop shall call the customer before continuing with the repairs and shall provide the customer with a new, good faith estimate of the repair price. The shop may not then continue with the repairs until it receives the customer's written or oral authorization to do so.

(b) Before undertaking repairs other than those previously authorized by the customer, the shop shall call the customer and describe to the customer the proposed additional repairs, together with a good faith estimate of the price for the repairs. The shop may not then undertake the additional repairs until it receives the customer's written or oral authorization to do so.

(c) If the shop does not receive the customer's authorization to proceed with the repairs under (a) or (b) of this section, the shop shall either agree to perform the repairs at the original estimated price or provide for the customer to retake possession of the vehicle in at least as good condition as it was delivered to the shop and notify the customer accordingly.

(d) A written authorization under (a) or (b) of this section shall be made on the repair order or on the invoice when a repair order is not requested and shall specify newly authorized repairs, as well as the newly authorized repair price estimate. If authorization under (a) or (b) of this section is received orally, the shop shall specify on the repair order or invoice newly authorized repairs, as well as the newly authorized repair price estimate. It shall also specify the date and time of authorization, and the person and telephone number called. (§ 1 ch 146 SLA 1976)

Sec. 45.45.180. Return of parts. Parts from a customer's motor vehicle which are replaced by the shop shall be returned to the customer if they are requested by the customer at the time the repair order is taken. However, parts which must be returned to the manufacturer because of a warranty or exchange agreement need not be returned to the customer upon request but shall instead be made available for the customer's inspection when the customer retakes possession of the motor vehicle. (§ 1 ch 146 SLA 1976)

Sec. 45.45.190. Invoice. The shop shall provide every customer, at the time the customer retakes possession of the motor vehicle, with a copy of a dated invoice detailing the costs of all parts and labor involved in the repair, and identifying all parts replacements as being either new, used, rebuilt or reconditioned. (§ 1 ch 146 SLA 1976)

Sec. 45.45.200. Prohibited practices. (a) A shop may not misrepresent, directly or by implication,

- (1) the cost of repairs authorized by the customer;
- (2) the terms or conditions of a warranty or service agreement;
- (3) that repairs are necessary;
- (4) that repairs have been made; or
- (5) that the motor vehicle is in a dangerous condition, or that the customer's continued use of the motor vehicle will be hazardous to persons or harmful to the motor vehicle.

(b) A shop may not collect or attempt to collect for

- (1) repairs not authorized either orally or in writing by the customer;
- (2) repairs which the shop knew or reasonably ought to have known to be unnecessary; or
- (3) repairs which have not been made.

(c) A shop which is also a warrantor or a party to a service agreement may not refuse to repair a motor vehicle in accordance with the terms and conditions of the warranty or service agreement.

(d) A shop may not fail to return a customer's motor vehicle because the customer has refused to pay for unauthorized repairs, or because the customer has refused to pay repair charges in excess of the price authorized under AS 45.45.130 — 45.45.140, if the customer pays the authorized price for the authorized repairs.

(e) A shop may not alter a customer's motor vehicle with intent to create a condition requiring repairs. (§ 1 ch 146 SLA 1976)

Sec. 45.45.210. Disclosure of regulation. The following statement shall be conspicuously printed, either on the invoice or on another form given to every customer for whom the shop performs repairs:

"Motor vehicle repair trade practices are regulated by Alaska Statutes 45.45.130 — 45.45.240, administered by the consumer protection section, Alaska Department of Law." (§ 1 ch 146 SLA 1976)

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Sec. 45.45.220. Records. A shop shall maintain repair records and invoices for parts purchased by the shop. The records shall be available for reasonable inspection by the attorney general or other persons acting at the request of the attorney general and shall be retained for at least two years. (§ 1 ch 146 SLA 1976)

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Sec. 45.45.240. Definitions. In AS 45.45.130 — 45.45.240

ment;

(1) "customer" includes a person authorized by the customer to act on the customer's behalf;

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(2) "motor vehicle" or "vehicle" means a motor vehicle as defined in AS 28.40.100 which is required to be registered under AS 28.10, or with a governmental agency of another jurisdiction performing a similar function;

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(3) "motor vehicle repair shop" or "shop" means an individual, corporation, partnership, or other form of business organization engaged in the motor vehicle repair business and includes owners, officers, directors, agents, employees, and representatives but excludes the following:

noun

(A) a shop engaged solely in the business of repairing the motor vehicles of a single commercial, industrial or governmental establishment, or of two or more of these establishments which are related by common ownership or corporation affiliation;

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(B) a person repairing the person's own or a family member's motor vehicle;

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(4) "repair" or "repairs" means the improvement, adjustment, replacement, examination, diagnosis, maintenance, servicing, removal or installation of any component or part of a motor vehicle, but does not include towing or the supplying of motor fuel to a motor vehicle. (§ 1 ch 146 SLA 1976; am § 21 ch 144 SLA 1977)

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Article 6. Motor Vehicle Warranties.

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Section	Section
300. Repairs required	335. Resale without disclosure prohibited
305. Replacement or refund	340. Other rights and remedies
310. Notice by owner	345. Repair facilities
315. Exceptions	350. Reimbursement of shipping costs
320. Presumption	355. Arbitration or mediation
325. Parts availability	360. Definitions
330. Failure to replace or refund	

Opinions of attorney general. — The Better Business Bureau's auto line informal dispute resolution mechanism pursuant to this article is in substantial compliance with 16 C.F.R. § 703, setting forth the standards for informal dispute settlement procedures. 1986 Op. Att'y Gen. No. 01.

NOTES TO DECISIONS

Cited in *Universal Motors, Inc. v. Waldock*, Sup. Ct. Op. No. 3060 (File No. S-796), P.2d (1986).

Sec. 45.45.300. Repairs required. If a new motor vehicle does not conform to an express warranty that is applicable to it and the owner of the vehicle reports the defect or condition to the manufacturer of the vehicle or to the manufacturer's or distributor's dealer during the term of the warranty, the manufacturer, distributor, dealer, or a repairing agent shall make the necessary repairs to conform the vehicle to the express warranty. (§ 1 ch 101 SLA 1984)

Revisor's notes. — As enacted, this section contained subsections (b)-(m). They were renumbered in 1984 as AS 45.45.305 — 45.45.360.

Sec. 45.45.305. Replacement or refund. If during the term of the express warranty or within one year from the date of delivery of the motor vehicle to the original owner, whichever period terminates first, the manufacturer, distributor, dealer, or repairing agent is unable to conform the motor vehicle to an applicable express warranty after a reasonable number of attempts, the manufacturer or distributor shall accept the return of the nonconforming motor vehicle, and, at the owner's option, shall replace the nonconforming vehicle with a new, comparable vehicle or shall refund the full purchase price to the owner less a reasonable allowance for the use of the motor vehicle from the time it was delivered to the original owner. A refund under this section shall be made to a lienholder of record, if any, and the owner, as their interests may appear. (§ 1 ch 101 SLA 1984)

Revisor's notes. — Enacted as AS 45.45.300(b). Renumbered in 1984.

Sec. 45.45.310. Notice by owner. In order to claim a refund or replacement under AS 45.45.305, the owner shall give written notice by certified mail to the manufacturer and its dealer or repairing agent at any time before 60 days have elapsed after the expiration of the express warranty or the one-year period after the date of delivery of the motor vehicle to the original owner, whichever period terminates first, (1) stating that the vehicle has a nonconformity; (2) providing a reasonable description of the nonconformity; (3) stating that the manufacturer, distributor, dealer, or repairing agent has made a reasonable number of attempts to conform the vehicle; and (4) stating that the owner demands a refund or replacement vehicle to be delivered on the 60th day after the mailing of the written notice. Within 30 days

after receiving the notice required by this section the manufacturer may make a final attempt to conform the vehicle before a refund or replacement is made under AS 45.45.305. (§ 1 ch 101 SLA 1984)

Revisor's notes. — Enacted as AS 45.45.300(c). Renumbered in 1984.

Sec. 45.45.315. Exceptions. An owner may not receive a refund or replacement under AS 45.45.300 — 45.45.360 if the manufacturer or distributor shows that the nonconformity complained of

(1) does not substantially impair either the use or the market value of the motor vehicle; or

(2) is the result of

(A) alteration of the motor vehicle by the owner or a person other than a dealer or repairing agent that is not authorized by the manufacturer or distributor; or

(B) abuse or neglect by the owner or a person other than the dealer or repairing agent. (§ 1 ch 101 SLA 1984)

Revisor's notes. — Enacted as AS 45.45.300(d). Renumbered in 1984.

Sec. 45.45.320. Presumption. A presumption that a reasonable number of attempts have been made to conform a motor vehicle under an applicable express warranty is established if:

(1) the same nonconformity has been subject to repair three or more times by the manufacturer, distributor, dealer, or repairing agent during the term of the express warranty or the one-year period after delivery of the motor vehicle to the original owner, whichever period terminates first, but the nonconformity continues to exist; or

(2) the vehicle is out of service for repair for a total of 30 or more business days during the express warranty term or the one-year period referred to in (1) of this section, whichever period terminates first; any period of time that repairs are not performed for reasons that are beyond the control of the manufacturer, distributor, dealer, or repairing agent is excluded from the 30-day time period referred to in this paragraph. (§ 1 ch 101 SLA 1984)

Revisor's notes. — Enacted as AS 45.45.300(e). Renumbered in 1984.

Sec. 45.45.325. Parts availability. A manufacturer whose vehicles are sold in the state through an authorized dealer shall provide its dealer or repairing agent with any part necessary to make a repair of a nonconformity covered under an express warranty, as soon as possible, without additional charge for freight or handling, if the part is not

in the dealer's or agent's inventory when the nonconforming vehicle is brought to the dealer or repairing agent for repair. (§ 1 ch 101 SLA 1984)

Revisor's notes. — Enacted as AS 45.45.300(f). Renumbered in 1984.

Sec. 45.45.330. Failure to replace or refund. A manufacturer or distributor who fails to refund the full purchase price of a motor vehicle or replace the motor vehicle when there is a requirement to do so under AS 45.45.300 — 45.45.360 is presumed to have committed an unfair trade practice under AS 45.50.471. (§ 1 ch 101 SLA 1984)

Revisor's notes. — Enacted as AS 45.45.300(g). Renumbered in 1984.

Sec. 45.45.335. Resale without disclosure prohibited. A motor vehicle returned under AS 45.45.305 may not be resold by the manufacturer or distributor in the state unless full disclosure of the reason for the return is made to the prospective buyer before the resale is concluded. (§ 1 ch 101 SLA 1984)

Revisor's notes. — Enacted as AS 45.45.300(h). Renumbered in 1984.

Sec. 45.45.340. Other rights and remedies. The provisions of AS 45.45.300 — 45.45.360 do not limit other rights and remedies that may be available to the owner of a motor vehicle under other provisions of law. This section does not create a new cause of action against a dealer or repairing agent who sells or attempts to repair a motor vehicle found to be nonconforming under AS 45.45.300 — 45.45.360. (§ 1 ch 101 SLA 1984)

Revisor's notes. — Enacted as AS 45.45.300(i). Renumbered in 1984.

Sec. 45.45.345. Repair facilities. A manufacturer or distributor or motor vehicles who authorizes the sale of the manufacturer's or distributor's motor vehicles in the state shall maintain authorized dealership facilities within the state that are able to perform the service and make the repairs required by the manufacturer's express warranty and by AS 45.45.300 — 45.45.360. (§ 1 ch 101 SLA 1984)

Revisor's notes. — Enacted as AS 45.45.300(j). Renumbered in 1984.

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§ 45.45.350

TRADE AND COMMERCE

§ 45.45.360

Sec. 45.45.350. Reimbursement of shipping costs. A manufacturer or distributor who accepts the return of a nonconforming motor vehicle under AS 45.45.305 shall reimburse the owner for any reasonable cost incurred in shipping the vehicle to and from the nearest authorized facility for warranty service and repair of a nonconformity that causes the return of the vehicle. (§ 1 ch 101 SLA 1984)

Revisor's notes. — Enacted as AS 45.45.300(k). Renumbered in 1984.

Sec. 45.45.355. Arbitration or mediation. If a manufacturer or distributor has established an informal dispute settlement procedure that substantially complies with the requirements of 16 C.F.R. 703, as that section may be amended, or if the manufacturer or distributor, after receipt of notice required by AS 45.45.310, offers in writing to participate in an arbitration or mediation process with the owner and the arbitration or mediation decision is binding on the manufacturer or distributor but not on the owner, and if the informal dispute settlement or arbitration or mediation process is approved by the attorney general, the provisions of AS 45.45.305 concerning refund or replacement or AS 45.45.350 concerning shipping costs do not apply to an owner who has not first resorted to the informal dispute settlement procedure or arbitration or mediation process. (§ 1 ch 101 SLA 1984)

Revisor's notes. — Enacted as AS 45.45.300(l). Renumbered in 1984.

Opinions of attorney general. — Request for approval of Ford Motor Company's Consumer Appeals Board informal dispute mechanism was denied because it

did not substantially comply with 16 C.F.R. § 703, especially that portion requiring that board members be sufficiently insulated from the warrantor so that decisions are not influenced by the warrantor. 1985 Op. Att'y Gen. No. 06.

Sec. 45.45.360. Definitions. In AS 45.45.300 — 45.45.360,

(1) "dealer" means a person who has obtained a franchise from, or is authorized by, a motor vehicle manufacturer to engage in the retail sale and warranty repair of the manufacturer's new motor vehicles in the state;

(2) "distributor" means a person who is authorized by a manufacturer to engage in the wholesale distribution of the manufacturer's new motor vehicles in the state;

(3) "express warranty" or "warranty" means an express written warranty provided by the manufacturer of a new motor vehicle;

(4) "full purchase price" means the total price paid for a motor vehicle by the original owner, including costs added to the retail price, such as original registration fees, transportation fees, dealer preparation, and dealer installed options;

(5) "manufacturer" means a person who by labor transforms raw materials and component parts into motor vehicles for wholesale or retail sale;

(6) "motor vehicle" or "vehicle" means a land vehicle having four or more wheels, that is self-propelled by a motor, is normally used for personal, family, or household purposes, and is required to be registered under AS 28.10; but does not include a tractor, farm vehicle, or a vehicle designed primarily for off-road use;

(7) "nonconformity" means a defect or condition in a motor vehicle caused by a manufacturer, distributor, dealer or repairing agent that substantially impairs the use or market value of a vehicle;

(8) "owner" means a purchaser, other than for resale, of a new motor vehicle, and a person to whom ownership of the motor vehicle is transferred in conformity with AS 28;

(9) "reasonable allowance" means an amount attributable to an owner's use of a motor vehicle; a "reasonable allowance" may not exceed an amount equal to the depreciation in value of the vehicle for the period during which the vehicle is available for use by the owner, calculated by a straight line depreciation method over seven years, plus an amount equal to the depreciation in value of the vehicle that is caused by

(A) any neglect or abuse by the owner; or

(B) body damage not caused by a nonconformity;

(10) "repairing agent" means a person who has been specifically authorized by a motor vehicle manufacturer or distributor to perform warranty repairs in the state on one or more of the manufacturer's or distributor's motor vehicles;

(11) "substantially impairs the market value" means a nonconformity that substantially decreases the dollar value of a vehicle to the owner when compared to the dollar value of a similar vehicle that does not have the nonconformity;

(12) "substantially impairs the use" means a nonconformity that prevents a motor vehicle from being operated or makes the vehicle unsafe to operate. (§ 1 ch 101 SLA 1984)

Revisor's notes. — Enacted as AS 45.45.300(m). Renumbered in 1984.

Article 7. Miscellaneous.

Section

900. Indemnification agreements contra to public policy

Sec. 45.45.900. Indemnification agreements contra to public policy. A provision, clause, covenant, or agreement contained in, collateral to, or affecting a construction contract that purports to indemnify the promisee against liability for damages for (1) death or bodily injury to persons, (2) injury to property, (3) design defects or (4) other

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TONGASS MARINE

P. O. BOX 1314 - PETERSBURG, ALASKA 99833 - (907) 772-3905

February 2, 1988

Senator Lloyd Jones
Box V
Juneau, AK 99811

Dear Lloyd:

I just got wind of Senate Bill 347 dealing with the regulation of motorboat repairs.

I read over the proposed legislation, and it's a slap in the face to every marine repair shop in the state. Every shop I'm familiar with already abides by reputable business practices and I see no need to have them legislated. Unethical business practices are already covered under existing statutes.

I think there are more urgent priorities for the Legislature than passing laws telling marine repair shops how to run their business, and urge you to vote no on the above.

Sincerely,

Tongass Marine



John Murgas, Owner

**National Marine Manufacturers Association**

2550 M St., N.W. - Suite 425
Washington, DC 20037

Ron Stone, Director of Government Relations
(202) 296-4588

March 11, 1988

Representative Bette Cato
Chairperson
House Committee on Transportation
Alaska Legislature
Pouch V
Juneau, Alaska 99811

Dear Chairperson Cato:

The National Marine Manufacturers Association, representing over 1300 boat and boat product manufacturers, wishes to express its support for Senata Bill No. 347, currently under consideration by your committee.

NMMA strongly supports requiring repair shops to provide customers with cost estimates before the repairs are begun. It is only fair and equitable to amend the law that protects consumers of motor vehicle repairs to persons in need of marine engine repairs.

Representative Cato, we urge you and the ^{House Transportation}~~State Affairs~~ Committee to favorably report this legislation in the interests of safe and enjoyable boating in Alaska.

If you have questions or comments about this or any other boating-related matter, please do not hesitate to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Nancy Linden".

Nancy Linden
Government Relations

STATE OF ALASKA
THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907.465.3800

LEGISLATIVE AFFAIRS AGENCY
LEGISLATIVE REFERENCE LIBRARY

May, 1988

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS database CMPR. In order to save space copies of minutes have not been left in the files.

Mary Van Nimwegen

H. TRANS. 3-11-88 1:30p.m.

HOUSE COMMITTEE REPORT

(7)

Date referred: 2/5/88

FURTHER REFERRALS: State Affairs

DATE: March 11, 1988

The Transportation Committee has considered SB 347 am

"An Act relating to the regulation of motorboat motor repairs."

RECOMMENDS:

- replace with _____ the same title
- attached amendment(s) a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(S):

- fiscal impact same as previous fiscal note published _____
- zero fiscal note same as previous zero fiscal note published 1/15/88
- zero with analysis

SIGNING DO PASS:

Heinrich Springer

Bette Cato

SIGNING OTHER RECOMMENDATIONS:

Mike Hiller No Rec.

Bob Hudson NO Rec.

D.C. Parker (no rec)

Bette Cato
Chairman's signature


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* DELIVER TO: LHSCT:A
*
* ORIGINAL
* SENT: 03/11/88 TIME: 14:29
* FROM: LIOCPSG
* SUBJECT: H TRSP;SB347-MTRBOAT REPR;3-11
* PRINT DATE: 03/15/88 TIME: 17:38
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DATE: MARCH 11, 1988
SITE: PETERSBURG
SPONSOR: (H) TRANSPORTATION
SUBJECT: SB 347 - MOTORBOAT MOTOR REPAIR
MODERATOR: DOROTHY PENTTILA

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FINAL STATS

TESTIFIED:

NAME/REPRESENTING	ADDRESS	PHONE #
1. CYNTHIA FLORA/PSG SHIPWRIGHTS	BOX 378 PSG	772-3596
2. ROCKY FLINT/ROCKY'S MARINE	BOX 690 PSG	772-3949
3. JOHN MURGAS/TONGASS MARINE	BOX 1314 PSG	772-3905

OBSERVED:

NONE

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3 TESTIFIED
0 UNABLE
0 OBSERVED
3 TOTAL

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1:30 PM / 2:15 PM START/END TIME

EOM