

1                   A bill to be entitled  
2           An act relating to motor vehicle repair work;  
3           providing a short title; amending s. 559.905, F.S.;  
4           requiring a motor vehicle repair shop to request a  
5           written crash report from a customer under certain  
6           circumstances; requiring a motor vehicle repair shop  
7           to prepare a transaction form under certain  
8           circumstances; requiring the Department of Agriculture  
9           and Consumer Services to approve the design and format  
10          of the transaction form; specifying requirements for  
11          the transaction form; requiring a motor vehicle repair  
12          shop to record specified information on the  
13          transaction form; requiring a motor vehicle repair  
14          shop to maintain a copy of the transaction form for a  
15          specified timeframe; requiring a motor vehicle repair  
16          shop to deliver transaction forms to the appropriate  
17          law enforcement agency within a specified timeframe;  
18          providing an exception; authorizing a motor vehicle  
19          repair shop to use certain evidence in court under  
20          certain circumstances; requiring the electronic  
21          transfer of transaction forms to the appropriate law  
22          enforcement agency by a motor vehicle repair shop  
23          under certain circumstances; authorizing the  
24          appropriate law enforcement agency to provide certain  
25          equipment to a motor vehicle repair shop; specifying

26 ownership and maintenance of such equipment;  
27 specifying that a motor vehicle repair shop is not  
28 required to deliver original or copies of transaction  
29 forms under certain circumstances; authorizing the  
30 appropriate law enforcement agency to request an  
31 original transaction form from a motor vehicle repair  
32 shop under certain circumstances; requiring a motor  
33 vehicle repair shop to respond to such request within  
34 a certain timeframe; providing criminal penalties;  
35 authorizing the department to revoke a motor vehicle  
36 repair shop's registration under certain  
37 circumstances; revising the items required in a  
38 written repair estimate; making technical changes;  
39 amending s. 559.909, F.S.; conforming a cross-  
40 reference; making technical changes; reenacting s.  
41 559.907(1)(b), F.S., relating to charges for motor  
42 vehicle repair estimate and requirement of waiver of  
43 rights prohibited, to incorporate the amendment made  
44 to s. 559.905, F.S., in a reference thereto; providing  
45 an effective date.

46  
47 Be It Enacted by the Legislature of the State of Florida:

48  
49 **Section 1.** This act may be cited as the "Lilly Glaubach  
50 Act."

51           **Section 2. Section 559.905, Florida Statutes, is amended**  
52 **to read:**

53           559.905 Crash report or transaction form required for  
54 accident or collision repair work; written motor vehicle repair  
55 estimate; ~~and~~ disclosure statement required.-

56           (1) (a) If a customer requests that a motor vehicle repair  
57 shop perform work to restore a motor vehicle damaged in an  
58 accident or a collision, and such work is estimated to cost  
59 \$5,000 or more, the motor vehicle repair shop must, before  
60 preparing the written repair estimate required by subsection  
61 (2), request that the customer provide a written crash report as  
62 specified under s. 316.066.

63           (b) If the customer does not provide a written crash  
64 report, the motor vehicle repair shop must prepare an accident  
65 or collision repair work transaction form before preparing the  
66 written repair estimate required by subsection (2). The  
67 Department of Agriculture and Consumer Services must approve the  
68 design and format of the transaction form, which must be 8 1/2  
69 inches by 11 inches in size and elicit the information required  
70 under this paragraph. In completing the transaction form, the  
71 motor vehicle repair shop shall record the following  
72 information, which must be typed or written indelibly and  
73 legibly in English:

- 74           1. The name and address of the motor vehicle repair shop.  
75           2. The vehicle identification number, year, license tag

76 number, make, model, and color of the damaged vehicle and the  
77 name, phone number, physical description, and address of the  
78 owner of the vehicle or the person in possession of the vehicle.

79 3. A detailed description of the damage to the vehicle.

80 (c) A motor vehicle repair shop shall maintain a copy of  
81 each completed transaction form on its premises for at least 1  
82 year after the date of the transaction. On or before the end of  
83 each business day, the motor vehicle repair shop shall deliver  
84 to the appropriate law enforcement agency the original  
85 transaction forms for each of the transactions occurring during  
86 the previous business day, unless other arrangements have been  
87 agreed upon between the motor vehicle repair shop and the  
88 appropriate law enforcement agency. If the original transaction  
89 form is lost or destroyed by the appropriate law enforcement  
90 agency, a copy may be used by the motor vehicle repair shop as  
91 evidence in court.

92 (d) If the appropriate law enforcement agency supplies the  
93 necessary software and the motor vehicle repair shop has the  
94 computer capability, transaction forms must be electronically  
95 transferred. If a motor vehicle repair shop does not have the  
96 computer capability, the appropriate law enforcement agency may  
97 provide the motor vehicle repair shop with the necessary  
98 equipment for the purpose of electronically transferring  
99 accident or collision repair work transaction forms. The  
100 appropriate law enforcement agency shall retain ownership of the

101 equipment, unless otherwise agreed upon. The motor vehicle  
102 repair shop shall maintain the equipment in good working order,  
103 ordinary wear and tear excepted. If a motor vehicle repair shop  
104 transfers accident or collision repair work transaction forms  
105 electronically, the motor vehicle repair shop is not required to  
106 also deliver to the appropriate law enforcement agency the  
107 original or copies of the transaction forms. The appropriate law  
108 enforcement agency may, for the purposes of a criminal  
109 investigation, request that the motor vehicle repair shop  
110 produce the original of a transaction form that has been  
111 electronically transferred. The motor vehicle repair shop shall  
112 deliver this form to the appropriate law enforcement agency  
113 within 24 hours after the request.

114 (e) Any person who violates this subsection commits a  
115 misdemeanor of the second degree, punishable as provided in s.  
116 775.082 or s. 775.083. If the department finds a motor vehicle  
117 repair shop in violation of this subsection, it may revoke the  
118 motor vehicle repair shop's registration under s. 559.904.

119 (2) When any customer requests a motor vehicle repair shop  
120 to perform repair work on a motor vehicle, the cost of which  
121 repair work will exceed \$150 to the customer, the shop shall  
122 prepare a written repair estimate, which is a form setting forth  
123 the estimated cost of repair work, including diagnostic work,  
124 before effecting any diagnostic work or repair. The written  
125 repair estimate must also include all of the following items:

126 (a) The name, address, and telephone number of the motor  
127 vehicle repair shop.

128 (b) The name, address, and telephone number of the  
129 customer.

130 (c) The date and time of the written repair estimate.

131 (d) The vehicle identification number, year, make, model,  
132 odometer reading, and license tag number of the motor vehicle.

133 (e) The proposed work completion date.

134 (f) A general description of the customer's problem or  
135 request for repair work or service relating to the motor  
136 vehicle.

137 (g) A statement as to whether the customer is being  
138 charged according to a flat rate or an hourly rate, or both.

139 (h) The estimated cost of repair which must include any  
140 charge for shop supplies or for hazardous or other waste removal  
141 and, if a charge is included, the estimate must include the  
142 following statement:

143

144 "This charge represents costs and profits to the motor  
145 vehicle repair facility for miscellaneous shop  
146 supplies or waste disposal."

147

148 If a charge is mandated by state or federal law, the estimate  
149 must contain a statement identifying the law and the specific  
150 amount charged under the law.

151 (i) The charge for making a repair price estimate or, if  
 152 the charge cannot be predetermined, the basis on which the  
 153 charge will be calculated.

154 (j) The customer's intended method of payment.

155 (k) The name and telephone number of another person who  
 156 may authorize repair work, if the customer desires to designate  
 157 such person.

158 (l) A statement indicating what, if anything, is  
 159 guaranteed in connection with the repair work and the time and  
 160 mileage period for which the guarantee is effective.

161 (m) A statement allowing the customer to indicate whether  
 162 replaced parts should be saved for inspection or return.

163 (n) A statement indicating the daily charge for storing  
 164 the customer's motor vehicle after the customer has been  
 165 notified that the repair work has been completed. However,  
 166 storage charges may not accrue or be due and payable for a  
 167 period of 3 working days from the date after such notification.

168 (3)~~(2)~~ If the cost of repair work will exceed \$150, the  
 169 shop must present to the customer a written notice conspicuously  
 170 disclosing, in a separate, blocked section, only the following  
 171 statement, in capital letters of at least 12-point type:

172

173 PLEASE READ CAREFULLY, CHECK ONE OF THE STATEMENTS BELOW, AND  
 174 SIGN:

175 I UNDERSTAND THAT, UNDER STATE LAW, I AM ENTITLED TO A

176 WRITTEN ESTIMATE IF MY FINAL BILL WILL EXCEED \$150.

177

178 . . . . I REQUEST A WRITTEN ESTIMATE.

179

180 . . . . I DO NOT REQUEST A WRITTEN ESTIMATE AS LONG AS THE  
 181 REPAIR COSTS DO NOT EXCEED \$ . . . . . THE SHOP MAY NOT EXCEED THIS  
 182 AMOUNT WITHOUT MY WRITTEN OR ORAL APPROVAL.

183

184 . . . . I DO NOT REQUEST A WRITTEN ESTIMATE.

185

186 SIGNED . . . . . DATE . . . . .

187

188 (4)~~(3)~~ The information required by paragraphs (2) (h) and  
 189 (i) ~~(1) (h) and (i)~~ need not be provided if the customer waives  
 190 in writing her or his right to receive a written estimate.

191 (5)~~(4)~~ Except as provided in subsection (6) ~~(5)~~, a  
 192 copy of the written repair estimate required by subsection (2)  
 193 ~~(1)~~ and the disclosure statement required by subsection (3) must  
 194 ~~(2)~~ ~~shall~~ be given to the customer before repair work commences  
 195 ~~is begun~~. The disclosure statement may be provided on the same  
 196 form as the written repair estimate.

197 (6)~~(5)~~ If the customer leaves her or his motor vehicle at  
 198 a motor vehicle repair shop during hours when the shop is not  
 199 open or if the customer permits the shop or another person to  
 200 deliver the motor vehicle to the shop, there is ~~shall be~~ an



201 implied partial waiver of the written estimate; however, upon  
 202 completion of diagnostic work necessary to estimate the cost of  
 203 repair, the shop shall notify the customer as required in s.  
 204 559.909(1).

205 (7)~~(6)~~ ~~Nothing in~~ This section may not ~~shall~~ be construed  
 206 to require a motor vehicle repair shop to give a written  
 207 estimated price if the motor vehicle repair shop does not agree  
 208 to perform the requested repair.

209 **Section 3. Subsection (1) of section 559.909, Florida**  
 210 **Statutes, is amended to read:**

211 559.909 Notification of charges in excess of repair  
 212 estimate; unlawful charges; refusal to return vehicle  
 213 prohibited; inspection of parts.-

214 (1) In the event that:

215 (a) The written repair estimate contains only an estimate  
 216 for diagnostic work necessary to estimate the cost of repair and  
 217 such diagnostic work has been completed;

218 (b) A determination is made by a motor vehicle repair shop  
 219 that the actual charges for the repair work will exceed the  
 220 written estimate by more than \$10 or 10 percent, whichever is  
 221 greater, but not to exceed \$50; or

222 (c) An implied partial waiver exists for diagnostic work,  
 223 as described in s. 559.905(6) ~~s. 559.905(5)~~, and such diagnostic  
 224 work has been completed,  
 225

226 | the customer must ~~shall~~ be promptly notified by the motor  
 227 | vehicle repair shop by telephone, telegraph, mail, or other  
 228 | means of the additional repair work and estimated cost thereof.  
 229 | A customer so notified shall, orally or in writing, authorize,  
 230 | modify, or cancel the order for repair.

231 |       **Section 4. For the purpose of incorporating the amendment**  
 232 | **made by this act to section 559.905, Florida Statutes, in a**  
 233 | **reference thereto, paragraph (b) of subsection (1) of section**  
 234 | **559.907, Florida Statutes, is reenacted to read:**

235 |           559.907 Charges for motor vehicle repair estimate;  
 236 | requirement of waiver of rights prohibited.—

237 |           (1) No motor vehicle repair shop shall charge for making a  
 238 | repair price estimate unless, prior to making the price  
 239 | estimate, the shop:

240 |           (b) Obtains authorization on the written repair estimate,  
 241 | in accordance with s. 559.905, to prepare an estimate. No motor  
 242 | vehicle repair shop shall impose or threaten to impose any such  
 243 | charge which is clearly excessive in relation to the work  
 244 | involved in making the price estimate.

245 |       **Section 5.** This act shall take effect July 1, 2025.