

MINUTES OF THE SENATE COMMITTEE ON JUDICIARY

Held in Room 519 S, at the Statehouse at 10:00 a. ~~m~~p.m., on February 13, 19 79.

All members were present except: Senator Gaar

The next meeting of the Committee will be held at 12:00 ~~a~~p.m., on February 13, 19 79.

~~These minutes of the meeting held on xxxxxxxxxxxxxxxxxxxxxxxxxxxxxx10xxx were considered corrected and approved~~


Chairman

The conferees appearing before the Committee were:

- Senator Paul Feleciano
- Richard L. Schodorf - Sedgwick County District Attorney
- Paul Barron - Sedgwick County District Attorney
- Eugene Friesen - Kansas Automotive Service Council
- Floyd McCracken - Kansas Automotive Service Council
- Max Moses - Kansas County and District Attorneys Association
- Dean Trimmell - Kansas Motor Car Dealers Association
- Marc F. Gorges - Kansas Motor Car Dealers Association
- Jack A. Quinlan - Kansas Motor Car Dealers Association
- Ernie Pease - Kansas Automotive Wreckers Association

Staff present:

- Art Griggs - Revisor of Statutes
- Jerry Stephens - Legislative Research Department
- Wayne Morris - Legislative Research Department

Senate Bill No. 146 - Reporting abuse of certain persons.

A handout was distributed to the committee members from SRS indicating support for this bill; a copy is attached hereto.

Senate Bill No. 164 - Consumer protection, motor vehicles.

The author of the bill, Senator Feleciano, explained the bill, and proposed amendments to it. A copy of the proposed amendments are attached. He testified that the bill would provide protection when you leave your car for repair. In 1975, there were 285 complaints to the Sedgwick County District Attorney's office; in 1978, 332 complaints were reported. The Consumer Protection Office of the Sedgwick County District Attorney requested the bill to be introduced. He explained the bill and the proposed amendments.

Richard Schodorf, Director of the Consumer Fraud and Economic Crime Division of the Sedgwick County District Attorney's Office, stated that automobile repair complaints had been the number one problem in his office. In one three month period of time, 60 complaints were registered, with \$10,000 of overcharge from 50 different repair jobs. He stated that part of

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

CONTINUATION SHEET

Minutes of the Senate Committee on Judiciary February 13, 1979.

the problem can be fraud, and failure of communication can also be a part of the problem. Committee discussion with him followed.

Paul Barron testified in support of the bill. He stated the bill will make better mechanics.

Eugene Friesen spoke in support of the bill.

Floyd McCracken testified in support of the bill.

Max Moses testified in support of the bill.

Jack Quinlan, representing the Kansas Motor Car Dealers Association, testified that the association supports the intent of the bill. He did find out some problems with the bill. He stated that the penalties provided in the Consumer protection Act are unreasonable. He stated that the bill would have problems with regard to the difficulties of getting estimates; the problem of trying to locate a customer; the problem when there is body damage and the cost of repair is not easily ascertainable; and problems where the customer takes the car to one shop but that shop can only do part of the work, and some of the work is done by another repair shop.

Dean Trimmell testified in opposition to the bill. A copy of his statement is attached hereto.

Marc F. Gorges testified that Wichita auto dealers are not opposed to the concept, but simply to some of the problems that this particular bill would create. He stated the customer is entitled to know what the repair will cost. However, there are a number of instances when people do not want estimates, and do not want to take the time waiting for an estimate. He stated that the biggest problem that people have is misunderstanding over the bill. He would have no objection to mandatorily requiring estimates be furnished on request of the customer. He spoke of the problem of not being able to reach people on the phone, such as farmers or aircraft plant workers. Committee discussion with him followed.

Ernie Pease, representing the Kansas Automobile Wreckers Association, testified in opposition to the bill. A copy of his statement is attached hereto.

The chairman asked staff to get copies of a recent court decision dealing with the application of the Consumer Protection Act to be distributed to the committee at its noon working session.

The meeting adjourned.

These minutes were read and approved
by the committee on 4-25-79.

2-13-79

GUESTS

SENATE JUDICIARY COMMITTEE

NAME	ADDRESS	ORGANIZATION
Marc F. Burgos	Wichita	KMCOA
Rev B. Salner	Topeka	KMCOA
Thomas H. King	Clay Center	KMCOA
Chuck Engel	Topeka	KMCOA
Joe Decker	Topeka	KMCOA
Marv Moses	Topeka	KCOAA
Elyse M. Cracker	Emporia, Mo	Kansas ASE
Eugene Thieser	Harnett	Kansas ASE
Paul Barron	Wichita	Sedg. Co. DA
Richard L. Schodorf	Wichita	Sedg. Co. DA
Dean Temmen	Council Grove	KMCOA
Ernie Pease	Capitol Federal Bldg, Topeka	KAWA
Betty Finzell	500 E. 13 Topeka	KAWA
Janette Under	500 E. 13, Topeka	KAWA
BUB GRANT	TOPEKA	KACI
Marvin C. Umbholtz	Lawrence	KML



John Carlin, Governor

STATE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

State Office Building
TOPEKA, KANSAS 66612
ROBERT C. HARDER, Secretary

Division of
Social Services

Division of
Vocational Rehabilitation

Division of
Mental Health and Retardation

Division of
Children and Youth

February 8, 1979

The Honorable Elwaine P. Pomeroy
Chairman, Senate Judiciary Committee
State House, 3rd Floor
Topeka, Kansas 66612

Re: Senate Bill No. 146

Dear Senator Pomeroy:

The Kansas Department of Social and Rehabilitation Services supports Senate Bill No. 146, by Senator Meyers.

During the past few years an increasing concern of society has seen the need for protective services for adults who are vulnerable to abuse, neglect and exploitation because they are unable to: perform effectively the simple acts of ordinary day-to-day living; manage their financial affairs; negotiate with others to secure their necessities; protect themselves and their interests; maintain their persons and living quarters so as not to endanger themselves and/or others.

The Department of SRS from its inception has recognized the need for this type of service to adults and has provided "protective services" for many years under various titles, i.e. casework, social work, protective services, information and referral, case management, etc. The legal basis for providing these services to adults is based upon Kansas laws which designate and certify the Department as the state agency responsible for planning, providing and administering social services and service programs which will assure that eligible Kansans will receive the proper kind of needed help at the time they need it.

In 1978 the need for a more defined service delivery system led to the development and implementation of the Department's current Adult Abuse, Neglect, Reporting, Investigation and Prevention Services Program. The attached SRS quarterly report regarding the Adult Abuse, Neglect, Exploitation Services Program shows the number and type of reports received and investigated by SRS field staff from October 19, 1978 through December 31, 1978. (See attachment #1.) The present reporting and service delivery system adopted by the Department conforms to the proposed law.

The Department of SRS supports Senate Bill No. 146, by Senator Meyers, for the following reasons:

- I. It provides a broad medium for reporting suspected abuse, neglect and exploitation of aged, blind and disabled Kansans by encouraging concerned citizens and requiring specified professionals to report suspected abuse, neglect and exploitation without fear of retribution, punishment or liability.

February 8, 1979

- II. It establishes a mandate to maintain a reporting system which will provide valuable information regarding monitoring reports and the investigative process, identifying trends and problems statewide; assists in developing training programs for staff to enable them to perform complex duties, assist in evaluating resources available in service assessment planning phase, and provides administration to assess personnel needs for implementing this program.
- III. It provides the Department of SRS with the needed legal mandate to specifically provide investigative and protective services to aged, blind and disabled Kansans.
- IV. It supports, guides, and protects field staff who perform the complicated and difficult activities associated with protective service.
- V. It provides a legal mandate to the Kansas Nursing Home Complaint Coordination Agreement under which the state Departments of Aging, Health and Environment and Social Rehabilitation Services currently function. (See attachment #2.)
- VI. It provides the Departments of Health and Environment and SRS with the authority to request help from other community agencies and resources, thus, implying shared responsibilities and coordination with other state and community resources.

Although SRS currently provides protective services for adults through a service delivery system very similar to that in Senate Bill No. 146, the current staffing level will not provide the timeliness of investigation and reporting as required in the proposal. We believe that one additional social worker would be required in each administrative area of the state to do the initial and follow-up reporting and, in larger metropolitan areas, to coordinate these efforts. The annual estimated salaries, including 15% for fringe benefits, would be \$150,528. In addition, it is estimated that \$8,500 would be needed for equipment. Therefore, the first year cost would be \$159,028 and the state's share of that would be \$39,757.

Sincerely yours,



Robert C. Harder
Secretary

RCH:pk

Attachments

cc: Senator Jan Meyers
Chuck Stevenson
Lauren Harrod
Kathryn Klassen
Elaine Crowther
Sandy Hunter

ADULT ABUSE/NEGLECT/EXPLOITATION
10-19-78 through 12-31-78

Total number of reports of abuse, neglect and exploitation = 94*
Average age = 62.6 years
Age range = 18 to 98
Clients reported as (abused, neglected or exploited) 60 years and over = 65% of total number of cases reported
Males reported (abused, neglected or exploited) = 31.91%
Females reported (abused, neglected or exploited) = 68.09%

Neglect

Total number of neglect reports = 68 or 72%

Self-neglect reports account for 81% of neglect reports.

Investigative Findings: Confirmed Neglect Potential Risk of Neglect
52.94% 29.41%

Abuse

Total number of abuse reports - 15 or 15.96%

Self-abuse reports account for 20% of abuse reports

Investigative Findings: Confirmed Abuse Potential Risk of Abuse
46.67% 33.33%

Exploitation

Total number of exploitation cases reported = 17 or 18.09% of total number of cases reported

Investigative Findings: Confirmed Exploitation Potential Risk of Exploitation
47.06% 35.29%

Reports of alleged abuse, neglect, exploitation submitted by:

<u>Area Offices</u>		
Topeka - 17	Garden City - 4	Junction City - 1
Kansas City - 24	Hiawatha - 1	Winfield - 2
Olathe - 2	Chanute - 4	Pratt - 0
Wichita - 15	Salina - 2	Emporia - 0
Hutchinson - 11	Hays - 0	Parsons - 0
Osawatomie - 9	Pittsburg - 2	

Perpetrators - Categorized and Numbers of Reports

<u>Reports of Neglect</u> (confirmed/P.R.)	<u>Reports of Abuse</u> (confirmed/P.R.)	<u>Reports of Exploitation</u> (confirmed/P.R.)
Children - 7	Children - 7	Children - 5
Siblings - 3	Husband - 2	Boyfriend - 1
Conservator - 1	Landlord - 1	Parents - 1
Guardian - 1	Boarder - 1	Residential Care/ Boarding Home - 2
Self - 46	Residential Care facility staff - 1	Neighbors - 2
	Self - 3	Landlord - 1
		Healer - 1
		Unknown - 1

*Some cases are reported in more than one category (abuse, neglect, exploitation)

Reporters

Nursing Home	- 7	Police	- 7
Doctor/Hospital staff	- 9	Red Cross	- 1
Self-reported	- 5	Lawyer/Court Services	- 6
Anonymous	- 16	Taxi Driver	- 1
Family	- 13	Health Dept.	- 3
I.M. Worker	- 1	Public Housing	- 2
Mental Health Clinic/ Hospital	- 2	Homemaker	- 1
Neighbor/Friend	- 10	Clergy	- 2
Apartment Manager/ Landlord	- 2	Community Service Agencies	- 2
S.S. Payee	- 1	Guardian	- 1
		Employer	- 1

Future quarterly reports will contain qualitative and quantitative data regarding identified problems and services.

KANSAS NURSING HOME COMPLAINT COORDINATION AGREEMENT

IN ORDER TO PROVIDE THE MOST COST-EFFECTIVE PROGRAM POSSIBLE, THE DEPARTMENTS OF AGING, HEALTH AND ENVIRONMENT, AND SOCIAL AND REHABILITATION SERVICES ADOPT THE FOLLOWING STATEMENT. THE PURPOSE OF THIS STATEMENT IS TO COORDINATE THE ACTIVITIES OF THE AGENCIES WITH RESPECT TO THE HANDLING OF COMPLAINTS, THE INVOLVEMENT OF COMMUNITY RESOURCES TO IMPROVE THE QUALITY OF LIFE IN NURSING HOMES, AND THE DUTIES AND FUNCTIONS OF THE OMBUDSMEN WORKING WITH THE DEPARTMENT ON AGING:

1. COMPLAINTS FROM OR ON BEHALF OF NURSING HOME RESIDENTS

- A) ALL COMPLAINTS RECEIVED BY THE STATE NURSING HOME OMBUDSMAN, DEPARTMENT ON AGING, WILL BE RECORDED AND FORWARDED TO THE DEPARTMENT OF HEALTH AND ENVIRONMENT. THE KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT WILL CALL ON ANY STATE AGENCY FOR ASSISTANCE IN INVESTIGATING THE COMPLAINT.
- B) COMPLAINTS RECEIVED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENT WILL BE PROCESSED; APPROPRIATE ACTION TAKEN; AND A REPORT OF THE RESPONDING AGENCY'S ACTION WILL BE RETURNED TO THE DEPARTMENT OF HEALTH AND ENVIRONMENT.
- C) COMPLAINTS RECEIVED BY ANY STATE AGENCY OR OFFICE OTHER THAN THE DEPARTMENT OF HEALTH AND ENVIRONMENT WILL BE FORWARDED TO THAT DEPARTMENT FOR ACTION.
- D) PUBLICITY OR INFORMATION DISSEMINATION SHOULD IDENTIFY THE PROCEDURE FOR HANDLING COMPLAINTS.

2. THE DIRECTOR, BUREAU OF NURSING HOMES, KANSAS DEPARTMENT OF HEALTH & ENVIRONMENT; THE DIRECTOR, BUREAU OF FIELD SERVICES, KANSAS DEPARTMENT OF HEALTH & ENVIRONMENT; THE STATE NURSING HOME OMBUDSMAN, KANSAS DEPARTMENT ON AGING; AND THE ADMINISTRATOR OF NURSING HOME PROGRAMS, KANSAS DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES, WILL MEET ON A REGULAR BASIS, BUT NOT LESS THAN EVERY TWO MONTHS, FOR THE PURPOSES OF:

- A) REVIEWING A SUMMARY OF ALL COMPLAINTS AND THE STATUS OF THEIR RESOLUTION;
- B) CONSIDERING AREAS OF POLICIES, RULES, REGULATIONS, AND LAWS THAT MAY IMPROVE THE QUALITY OF NURSING HOMES IN KANSAS;
- C) IDENTIFYING AREAS OF COLLABORATIVE STAFF TRAINING AND DEVELOPMENT IN ALL THREE DEPARTMENTS; AND
- D) DISCUSSING OTHER RELEVANT ISSUES.

SENATE BILL No. 164

By Senator Feleciano

1-30

0015 AN ACT amending and supplementing the Kansas consumer
0016 protection act; relating to consumer transactions with respect
0017 to motor vehicles; amending K.S.A. 50-624 and repealing the
0018 existing section.

0019 *Be it enacted by the Legislature of the State of Kansas:*

0020 Section 1. K.S.A. 50-624 is hereby amended to read as fol-
0021 lows: 50-624. As used in this act: (a) "Agricultural purpose"
0022 means a purpose related to the production, harvest, exhibition,
0023 marketing, transportation, processing or manufacture of agricul-
0024 tural products by a natural person who cultivates, plants, propa-
0025 gates or nurtures the agricultural products. "Agricultural prod-
0026 ucts" includes agricultural, horticultural, viticultural, and dairy
0027 products, livestock, wildlife, poultry, bees, forest products, fish
0028 and shellfish, and any products thereof, including processed and
0029 manufactured products, and any and all products raised or pro-
0030 duced on farms and any processed or manufactured products
0031 thereof.

0032 (b) "Consumer" means an individual who seeks or acquires
0033 property or services for personal, family, household, business or
0034 agricultural purposes.

0035 (c) "Consumer transaction" means a sale, lease, assignment or
0036 other disposition for value of property or services within this state
0037 (except insurance contracts and securities regulated under federal
0038 or state law) to a consumer or a solicitation by a supplier with
0039 respect to any of these dispositions.

0040 (d) "Final judgment" means a judgment, including any sup-
0041 porting opinion, that determines the rights of the parties and
0042 concerning which appellate remedies have been exhausted or the
0043 time for appeal has expired.

0044 (e) "Merchantable" means, in addition to the qualities pre-
0045 scribed in K.S.A. 84-2-314, in conformity in all material respects
0046 with applicable state and federal statutes and regulations estab-
0047 lishing standards of quality and safety.

0048 (f) "Person" means an individual, corporation, government,
0049 governmental subdivision or agency, business trust, estate, trust,
0050 partnership, association, cooperative or any other legal entity.

0051 (g) "Property" includes real estate, goods, and intangible
0052 personal property.

0053 (h) "Services" includes:

0054 (1) Work, labor and other personal services;

0055 (2) privileges with respect to transportation, hotel; and res-
0056 taurant accommodations, education, entertainment, recreation,
0057 physical culture, hospital accommodations, funerals and ceme-
0058 tery accommodations; and

0059 (3) any other act performed for a consumer by a supplier.

0060 (i) "Supplier" means a manufacturer, distributor, dealer,
0061 seller, lessor, assignor, or other person who, in the ordinary
0062 course of business, solicits, engages in, or enforces consumer
0063 transactions, whether or not he or she deals directly with the
0064 consumer; *and with respect to services performed upon motor*
0065 *vehicles, supplier means any person who performs such services*
0066 *for compensation and who is entitled to claim a lien therefor*
0067 *under the provisions of K.S.A. 58-201.*

0068 New Sec. 2. (a) Every consumer transaction in excess of the
0069 amount of fifty dollars (\$50) with respect to the inspection, repair
0070 or maintenance of a motor vehicle shall be subject to the follow-
0071 ing requirements: (1) When the consumer delivers the motor
0072 vehicle to the supplier during regular business hours for any such
0073 services, prior to the commencement thereof, the supplier shall
0074 give to the consumer a written estimated price of labor and parts
0075 deemed necessary and shall not charge the consumer an amount
0076 in excess of ten percent (10%) of such price without the oral or
0077 written consent of the consumer, and if such consent is oral the
0078 supplier shall make a notation on the work order of the date, time,
0079 name of the person consenting to the additional amount, and
0080 telephone number called, if any, together with a specification of

0081 the additional parts and labor ~~and the total additional cost~~. The
0082 supplier shall obtain the consumer's consent before any addi-
0083 tional services not estimated are done or parts not estimated are
0084 supplied.

0085 (2) In the event of a malfunction or disabling of any motor
0086 vehicle so that the consumer is unable to deliver the motor
0087 vehicle to the supplier during business hours or the consumer has
0088 requested that the vehicle be towed to the supplier and the
0089 consumer has requested the supplier to take possession of the
0090 motor vehicle for purposes of repairing or estimating the cost of
0091 repairing the motor vehicle, the supplier shall not undertake the
0092 ~~diagnosing or~~ repairing of any malfunction of the motor vehicle
0093 unless and until such supplier has prepared a written estimate of
0094 the price for labor and parts necessary to repair the motor vehicle,
0095 and by telephone or otherwise, the consumer has been given all of
0096 the information on the written estimate and the consumer has
0097 approved the written estimate and has given oral or written
0098 authorization to the supplier to make the repairs pursuant to the
0099 written estimate. If such authorization is oral, the supplier shall
0100 make, on the written estimate, a notation of the name of the
0101 person authorizing the repairs, the date, the time, and the tele-
0102 phone number called, if any. Any charge for parts or labor in
0103 excess of the original estimate must be separately authorized by
0104 the consumer as provided in paragraph (1) of this subsection.

0105 (3) In the event that it is necessary to disassemble, partially
0106 disassemble, or diagnose a motor vehicle or vehicle component in
0107 order to provide the consumer with an estimate of the price for
0108 the required repair or maintenance, the supplier shall ~~provide the~~
0109 ~~consumer with a~~ estimate showing the total cost of tearing down
0110 and reassembling the motor vehicle so as to provide the consumer
0111 with an election not to proceed with the repair or maintenance of
0112 the motor vehicle. The estimate shall also include the cost of parts
0113 and necessary labor to replace those expendable items such as
0114 gaskets, seals, and O-rings which are normally destroyed by such
0115 disassembly. In the event that the act of disassembly might
0116 prevent the restoration of the same unit to its former condition,
0117 the supplier shall fully inform the consumer of that fact before

total dollar amount for

the total dollar amount for the additional

prepare a written

0118 any disassembly is commenced. **A**
0119 (4) The supplier shall return replaced parts to the consumer, if
0120 requested by the consumer, except for those parts which must be
0121 returned to the manufacturer or distributor thereof under war-
0122 ranty or exchange. **/**

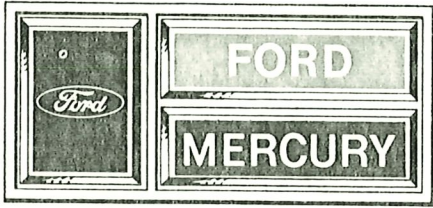
0123 (b) This section is hereby expressly made a part of and sup-
0124 plemental to the consumer protection act, and all consumer
0125 transactions described in this section shall be subject to and
0126 governed by the applicable provisions of said act. Any supplier
0127 violating the provisions of this section shall be subject to the
0128 penalties provided in said consumer protection act.

0129 Sec. 3. K.S.A. 50-624 is hereby repealed.

0130 Sec. 4. This act shall take effect and be in force from and after
0131 its publication in the statute book.

The supplier shall give the consumer, by telephone or otherwise, all of the information on the written estimate. The supplier may proceed when the consumer has approved the written estimate and has given oral or written authorization to the supplier to perform the disassembly pursuant to the written estimate. If such authorization is oral, the supplier shall make, on the written estimate, a notation of the name of the person giving the authorization, the date, the time, and the telephone number called, if any. Any charge for parts or labor in excess of the original estimate must be separately authorized by the consumer as provided in paragraph (1) of this subsection.

(5) A consumer may waive his or her right to receive a written estimate prior to authorizing repairs or disassembly by signing his or her name and the date below the following statement which shall be in boldface type: **"I DO NOT WISH TO RECEIVE AN ESTIMATE TO WHICH I AM ENTITLED BY LAW BEFORE REPAIRS OR DISASSEMBLY ARE AUTHORIZED."**



TRIMMELL FORD

901 West Main Telephone Area Code 316 - 767-5199

COUNCIL GROVE, KANSAS 66846

SB 164

I am opposed to this bill because the time involved in writing estimates will mean long delay for the customer as well as the shop. There will be a jam up at the shop every morning, also in the Parts department, and the telephone calling for parts prices. In a small operation, the Service Manager is also the service writer, work scheduler, consultant to the mechanics, helps in the parts department, figures tickets, consultant to the customers, and in even smaller operations, is the man who does the work. You can see that as busy as this man is, it will create long delays in the shop and for the customer. How long would you have wanted to wait for an estimate this morning on your way to work? I would say that in many cases you would not have made it to this hearing. Also supposing you had left your car for repair, and it was later discovered that it would require additional work, how hard would it be to contact you at work for approval, think also about the farmer at work or the production worker in a plant, how hard would it be to contact them, probably the job would be pushed outside, and the repairs would be delayed, or it would be sitting in a stall taking up working space.

The complexity of today's automobile make it extremely difficult to make a close estimate from most people's description of a problem. The model T shop manual had 300 pages, one year model of one manufacturer's models today covers 5 volumes and over 1800 pages for the repair and maintenance of the vehicle. There are approximately 15,000 parts in a vehicle, a number of these related to comfort, conveniences, and luxuries, these require care and repair. With all this additional equipment people desire on a vehicle, it sometimes requires unusual time to diagnose and repair a trouble spot. Remember the Model T did not have speed control, power windows, seats, locks, air conditioner, and many of the items we have today.

I am opposed to this bill because I am opposed to duplicating laws and regulations. It would appear to me that the auto service customer is already protected under the Kansas Consumer Protection Act, which specifically prohibits the following:

Misrepresentation as to sponsorship, approval, accessories, characteristics, etc., of goods or services.

Misrepresentation as to standard, quality, grade, style or model

use of a written or oral exaggeration, innuendo or ambiguity as to a material fact

Intentional failure to state a material fact or suppress a fact

Disparaging the goods or business of another by false representations

Falsely stating that repairs or services are needed.

In my opinion, should this bill be enacted, the cost of repairs in this State will be higher than they are today, and the customer will be paying these higher repair bills. Someone has to pay that person who will be writing all these estimates, and someone will have to pay for the time consumed in writing estimates on jobs that might be done in another shop, that someone will be the motoring public, by way of higher prices to cover the time spent on jobs that go elsewhere.

I am opposed because in order to protect yourself in adhering to the provisions of this bill estimates will be written at the extreme high side of a particular job, the customer will sign to do that job at that figure, and the kind of shop you are trying to protect the customer from will have a consent to spend that much money on the job and will probably ~~do~~ do so.

Kansas Automotive Wreckers Association

Executive Offices

500 East 13th Street
Topeka, Kansas 66607
Phone 913/234-5501

P.O. Box 607
Chanute, Kansas 66720
Phone 316/431-1240

"REQUIRED EXCHANGE DEPOSIT"

Starters & Generators	\$ 5.00 Deposit
Motors	\$ 50. to \$100 Deposit
Transmissions	\$ 35. to \$75. Deposit
Rear End	\$ 35. to \$75. Deposit
Alternator	\$ 7.50 Deposit
Radiator	\$ 7.50 Deposit
Batteries	\$ 3.00 Deposit

SENATE BILL NO. 164

KANSAS AUTOMOTIVE WRECKERS ASSOCIATION
AREAS OF CONCERN

Line

- 69 \$50.00 too low
 - would cover almost every repair job.
- 73 Mandatory Written Estimates
 - on request would be okay.
 - would cover single item repairs.
 - would increase cost of repairs.
 - big cost labor.
 - might lead to "Padding."
- 76 10% a little too restrictive
- 76 Oral Authorization
 - would lead to misunderstandings and give suppliers little protection.
 - question of fact.
- 95-97 To give all information by telephone would require reading of all notices on estimate and unduly upset elderly customers and professional customers such as lawyers and doctors.
 - oral contract problems.
- 108-115 Probably no big problem
- 115-118 BUT WATCH OUT FOR:
Which would necessitate a written notice in all cases of disassembly to guard against possibly not being able to restore to former condition.
- 119-122 Most customers only want to be sure the parts have been replaced and have no use for them and ultimately throw the parts away when they may be capable of being restored.
 - many auto wreckers require exchange to prevent fraud on them.
 - without exchange system, cost to customers would rise.

IN GENERAL

Services performed upon motor vehicles are directly covered by Consumer Protection Act.