

## The Texas Department of Motor Vehicles Smart Buyer Series

### Smart Repairs

#### Tips for Vehicle Maintenance and Repair

#### Overview

Outside of buying a home, your purchase of a motor vehicle will be one of the biggest purchases you will ever make. Once purchased, how do you protect and maintain this investment? What do you need to know when making repairs to that motor vehicle? The Texas Department of Motor Vehicles (TxDMV) is dedicated to helping consumers make informed decisions when buying a motor vehicle and helping them keep that motor vehicle running. TxDMV wants you to be a “Smart Buyer.”

When maintaining or repairing your vehicle:

1. Check your warranty
2. Do your homework before you choose a mechanic or repair facility
3. Get everything in writing and always keep a copy
4. Watch for scams
5. Know your rights

Maintaining your vehicle sounds like simple advice, but sometimes car buyers have problems following it. When talking with car experts, they all started with the following advice: “Keep up with the recommended maintenance! Follow the manufacturer’s recommended maintenance schedule.” In Texas, follow the “extreme duty” schedule. Check your owners’ manual for the “extreme duty” schedule.

This Smart Buyer article on vehicle maintenance and repair provides tools for consumers to use to ensure that when repairs to your motor vehicle are necessary, you get what you pay for. Unfortunately, with advances in technology and the increasingly sophisticated nature of motor vehicles, many repairs can only be performed by a trained mechanic (or a person claiming to be a trained mechanic) working out of a repair shop that has the necessary equipment to make the repairs to maintain the vehicle and return it to safe operation.

In Texas, the state or local government does not license repair shops. There is not a test a mechanic must take before he opens a shop to perform motor vehicle repairs. Accordingly, it is most important that the consumer chooses the right repair shop, understands the process, and recognizes when things are not going right. The consumer must understand his or her rights and options if repairs are not made as promised at the agreed upon price or further damage is done to the motor vehicle.

## Check Your Warranty

When you encounter a problem with your vehicle, check your warranty to see if the needed repair is covered by warranty. Warranties are your contract with the manufacturer to repair or replace certain items or systems associated with the normal operation of your vehicle. NOT ALL ITEMS OR SYSTEMS ARE COVERED BY THE WARRANTY! It is common for “wearable items” to not be covered by the terms of vehicle warranties. Examples of “wearable items” include, but are not limited to, tires, brakes, trim pieces, and bulbs. ALWAYS CHECK YOUR WARRANTY FOR ITEMS THAT ARE NOT COVERED!

### Is The Repair Covered by the Manufacturer’s Warranty?

- If you have a newer model vehicle, always check the vehicle’s warranty to make sure that repair work you have performed on the vehicle does not affect the warranty. Is the repair shop you have chosen “authorized” by the manufacturer under the terms of the warranty to perform the work? Is it required under the terms of the warranty that only certain manufacturer-made parts be used as replacements?
- If a used car, was there a warranty provided by the dealer or did you buy the car “as-is”? Remember any warranty that you may have received on a used car from the dealer MUST BE IN WRITING.

## Do Your Homework before You Choose a Mechanic or Repair Facility

Do some homework! Our experts suggest identifying a good mechanic and repair facility before you have a problem.

- Ask friends, family members and co-workers for referrals.
- Develop a relationship with a shop/technician you trust.
- If you are buying a new or used car from a franchised dealership, check their service department and their facilities. Talk with the service manager to get information about the service department before you buy.
- If you already have a problem, research your issue on the internet and see what others have to say about what may be wrong and what needs to be done to fix the problem. Search using the year, make and model of the vehicle. You may find that the issue is the subject of a recall and the manufacturer will be responsible for the cost of making the repairs. The [National Highway Traffic Safety Administration](#) (NHTSA) is a good resource for information on recalls.
- How long has the repair shop been in business?
- Ask your friends for a referral or call the Better Business Bureau or the Attorney General’s regional office and ask if there have been complaints about the shop you are considering.
- Go online and see if others have had good or bad experience with the repair shop and its mechanics.

The [Motorist Assurance Program](#) (MAP) sets the standards of service for auto repair shops. MAP can also provide you with a list of local repair shops that adhere to those standards that you can research and use to make appropriate decisions.



- Is the mechanic ASE certified? ASE is short for the [National Institute for Automotive Service Excellence](#). Since 1972, this independent non-profit organization has worked to improve the quality of vehicle repair and service by testing and certifying automotive professionals. ASE tests and certifies automotive professionals so that repair shop owners and service customers can better gauge a technician's level of expertise before contracting the technician's services. ASE certifies automotive technician professionals so they can offer tangible proof of their technical knowledge.
- Does the repair shop invest in tools and software? The diagnostic machines and software for today's vehicles are expensive. Has your repair shop invested in the right diagnostic equipment and software to properly diagnose the problem without unnecessarily dealing with parts that do not need repair?
- Does the repair shop offer a warranty or guarantee on the repairs he or she makes to a vehicle? Again, make sure any warranty is in writing and that you get a copy for your records.
- Does the repair shop use recycled oil and other fluids to cut his or her costs? In the long run this will cost you, the vehicle owner. Always insist on getting new products when replacing lubricants and other fluids.

Finally, if possible, it is recommended that you get a second opinion. Remember that "cheapest" is not always "best" in the end. If you needed a medical procedure, would you go with the cheapest surgeon just to save money? Get a second opinion!

## Get Everything in Writing and Always Keep a Copy

**Give Authorization for Repairs in Writing and Keep a Copy** Before the inspection or test drive, you may be required to give a written authorization to tow, inspect, test drive, diagnose, or disassemble any part of your car for the purposes of providing an estimate of repair costs. Always ask for a copy of the authorization you have given and be certain the authorization states the following

1. A description of the towing, inspection, test drive, diagnosis, or disassembly;
2. The charges for the towing, inspection, test drive, diagnosis, disassembly, storage, and any other charges, if you elect not to have the work done after the estimate of repair cost is disclosed to you, and whether these charges will be added to or included with the cost of repairs. Ask about diagnostic charges before leaving your vehicle with the mechanic. Most shops will charge a diagnostic fee if further disassembly is needed, but will waive those fees if they repair the vehicle;
3. That the authorization for the inspection, test drive, diagnosis, or disassembly does not constitute authorization of repairs; that authorization should be in a separate repair order;
4. That all parts replaced or removed from the vehicle during inspection will be saved and returned to you. Demand specifications for failed parts. How did they diagnose the problem? How will they fix it? Ask for before and after pictures, if possible; and;
5. An indication of whether your vehicle will be in any state of disassembly when returned to you, if you elect not to authorize the repair work and the charges for reassembly without repairs.

**Read All Documents** When you are asked to sign a document, read the document carefully, and always ask for a copy. The authorization to inspect and the authorization to commence repair work may be on the same piece of paper, but they should require a separate signature. Read each one carefully before signing.

The authorization to commence repairs should also include the date and time that you signed the form. If you decide to have repairs made, make sure the initial work order clearly specifies all of the following information:

1. A detailed description of the repair work to be done;
2. The fee for the specified work, which includes the price for the parts, the price for the labor, the fee for storage, and any other charges;
3. An indication of whether the replacement parts will be new or rebuilt and whether there will be a charge for the "core" of parts such as alternators or starters, which you may wish to keep;
4. The date by which repairs will be completed;
5. The terms of any warranty, including the duration of the warranty, the parts and labor covered, or the exclusions of a warranty;
6. An indication of whether repairs will be paid for in cash, by check, by credit card, or through any other form of financing;
7. If the repairs are to be financed, the terms of payment, including the loan approval from the financing company and the amount of the down-payment, the dates for payment, all financing terms including the amount financed, the annual percentage rate, the monthly payment, and the number of monthly payments;
8. An indication that all parts that will be replaced or removed from the vehicle during the repair will be given to you, or else that they will be identified and exchanged for new parts; and
9. Your signature approving the start of repair work.

## Common Scams to Watch For

While many repair shops run an ethical business, some do not. It is important for consumers to realize this and to understand some of the commonly used scams to avoid becoming a victim.

Some of the common ways that deceptive auto repair shops work are as follows:

- Getting you to give personal information such as credit card account number, driver's license number, or any other personal information before the work is finished and you are ready to pay for it. They then start work and then claim that you authorized the work because you provided this information and would not have done so unless you had authorized the repairs.
- Waiting until the vehicle is up on the lift and partially disassembled before getting your authorization to proceed with the repairs. By then, you are essentially forced to either authorize the overpriced repairs or risk getting your car back in a disassembled and unusable condition, or pay a large and unexpected fee to have your vehicle reassembled.
- Showing you dirty oil with metal filings in it as evidence that you need a new transmission. Normally, if you have transmission problems, you would notice a problem with the vehicle shifting gears, or the "check engine" light will illuminate. A healthy, properly maintained transmission should have pink transmission fluid and it is normal to find a small amount of a metallic paste type substance in the bottom of the pan. Brown burnt-smelling fluid and/or metal filings and dirt in the pan can indicate transmission problems.

However, once the transmission is disassembled and reassembled with the same old seals and parts, it usually does not work the same as before.

- Commencing work on your car without first getting your authorization, and then charging you for work that you did not authorize.
- Giving you a verbal estimate for the cost of repairs, and then charging a higher price.
- Representing that repair services will be completed by a certain day in order to secure the sale, then failing to meet that deadline.
- Telling you repairs are needed when, in fact, they are not.
- Failing to disclose reassembly or inspection charges before starting repair work.
- Charging you for towing when they advertised free towing.
- Telling you that the shop will provide a free rental car during repairs, and then charging you rental charges.
- Telling you they make repairs under warranties, and then, then charging you for the work covered by the warranty;
- Representing to you that work or services have been done, or parts have been replaced, when they were not.
- Representing or advertising that the shop will accept credit cards or personal or business checks as payment, and then, refusing to accept them.
- Failing to notify you, and getting your additional approval in writing, for additional work not in the original authorization.

Our experts added that consumers should watch out for the following: “Cheap” oil change. It can turn into a “wallet flush”. Also, look out for the “upsell”, when you bring your vehicle in for basic service. Be aware if someone tries to sell you more services and/or tries to scare you into service. You might hear “You need to flush the transmission, brake system, and power steering”.

## Know Your Rights

The Texas Deceptive Trade Practices-Consumer Protection Act (DTPA) includes some sections that deal with auto repairs. Under this law, it is illegal to: 1) knowingly make a false or misleading statement about the need for parts or repair service; 2) state that work has been done or parts were replaced when it is not true; and 3) represent that goods are original or new, when in fact they are second-hand, refurbished, or reconditioned.

## Resolving Disagreements

If the charges are much higher than the estimate, or if the work was done without your authorization and you feel that you have been overcharged, question the manager or the mechanic about the bill. Have the shop write out the reasons for the difference in cost, and keep this written explanation together with the work estimate, final bill, and other paperwork. Make sure the mechanic returns your old parts. Mechanics will sometimes return some repairable parts to parts suppliers for a refund, so you may not be able to get all of them.

Even if you feel you have been cheated, pay the bill so you can get your case, making it clear that you do not agree with the cost. You can then file a complaint with the Attorney General's Office and/or file a small claims court lawsuit against the mechanic.

If you refuse to pay a repair bill--even a bill in dispute--the mechanic has the legal right to keep your car until you pay. This is known as a "mechanic's lien." Even if you believe you were cheated, you should not pay with a check and then stop payment on the check--your car may still be repossessed.

If you think the shop has violated the law and you can't get them to resolve the problem to your satisfaction, your first step should be to take your car to another repair shop. Give the second mechanic a copy of your itemized receipt and order an inspection of the alleged repairs and parts. Get this report in writing. If you notice the same problem with your car is recurring, or find a new problem that should not have arisen, you will be in a better position to negotiate a refund from the first mechanic if you have a second mechanic's opinion in writing.

## Reporting Problems

If you have a repair problem the shop will not correct, the Texas Attorney General's Consumer Protection office and the Better Business Bureau both offer a complaint resolution process to help resolve your problem. You may also file a claim for damages in the small claims court with the Justice of the Peace in your precinct. You do not need an attorney to accomplish this. Remember, get everything in writing!

## Do You Have A Lemon?

If you bought or leased a new vehicle, or bought a used vehicle that is still under the manufacturer's warranty, and if the same problems keep reappearing, check the department's [Lemon Law](#) website to see if your vehicle qualifies for this relief. You may also call the TxDMV Lemon Law Section at 1-800-622-8682 or 512-416-4800 for more information on the Lemon Law.

While the TxDMV Enforcement Division does not handle issue regarding car repairs, often a case will involve promises made during the sale of a motor vehicle. The division does handle cases regarding misrepresentations made during the sale of a motor vehicle if such cases are based on a written document presented or used during the sale. Again, get everything in writing!

## Contact Us

### **TxDMV Enforcement Division**

P.O. Box 26515  
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## Texas Department *of* Motor Vehicles

HELPING TEXANS GO. HELPING TEXAS GROW.

Please see other topics in the “Smart Buyer” series to help you make the best decision possible. The staff that developed “Smart Buyer” series is always interested in new ideas or tips that will make this tool more useful for consumers. If you have a suggestion on how to make this “Smart Buyer” or any of the other “Smart Buyer” topic more helpful for consumers, please send your suggestion to our general mailbox at [enforcement@txdmv.gov](mailto:enforcement@txdmv.gov).