

**From:** [Parkland Automotive](#)  
**To:** [FamiliesCommunities Committee](#); [Rimbey RockyMountainHouse Sundre](#)  
**Subject:** Bill 203  
**Date:** Thursday, October 27, 2016 5:00:18 PM

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To Committee Members,

I have a few concerns with Bill 203. First off, the timing for this request for participation is during our busiest time of the year, which is why this won't be very well written. I received the original email on September 28 right at the start of the winter tire season. This only goes to show the complete and utter lack of knowledge about the automotive industry.

Second-the definition of "repairer". As I understand the definition, it refers to the actual technician (or mechanic, as many people still refer to us as, you know, the high school drop outs/gear heads-this is not true though many technicians possess a higher than average reading and comprehension ability ), as liable under section 57.11(4), not the repair facility under whom he is employed.

Third-the estimate. 57.2(1) Who's responsibility is it going to be? The repairer (technician/mechanic) to offer an estimate, or the customer's to request an estimate? As signage will be posted as required in section 57.8 (by the way, where is the location as prescribed by the regulations? I have no idea where to find this). I assume it is now the consumers obligation to request an estimate, and accept SOME responsibility in the repair of their motor vehicle. And what are the requirements which may be prescribed by the regulations (and again, where are these found). What are these regulations you speak of?

Fourth-Estimate Fee- I am unclear if we are allowed to charge a fee for the time spent on the actual estimating time. This is the time that a service writer spends looking up the parts required to repair the motor vehicle, the labour time time suggested by the labour guides ( I say suggested because that is exactly what it is, a suggestion. These times are based on a new vehicle, not a vehicle that has been driven for a 100,000 kilometers. It does not include the time required to remove the mud and rust from components, or any other unforeseen circumstance). This process can take upwards of an hour on larger jobs. Once a job is estimated then approved and work is under way, different situations may arise out of the repairer's (technician/mechanic) control. Most repairer (technician/mechanic) don't have the ability to foresee a bolt braking ( even though they are highly skilled in many areas foresight is usually not one of those areas). Now the motor vehicle is going to exceed the maximum amount on the estimate the consumer has authorised. Now under Bill 203 the repairer (technician/mechanic) must pay for the repairs on the consumers motor vehicle, which he never designed, built or drove, leaving the consumer totally without responsibility for their motor vehicle. Or option 2, reassemble with out completing the repair, at this point and leave the consumer with a motor vehicle that is inoperable. Option 3, leave the vehicle in the bay,

attempt to contact the customer, tie up the bay while waiting, call the customer booked for the bay after the current job and postpone that appointment, and wait. Option 4, make a ridiculously high estimate and hope that all unforeseen circumstances will be covered at the risk of gouging the consumer. This is an extreme case, but I assure you it is not an uncommon situation. I hope you are now starting to see the ignorance of this bill.

Lets continue shall we. Is it the consumers responsibility to request the return of the parts and provide a clean container, or does that fall again on the repairer (technician/mechanic). Are you sure consumers want the old parts? They are quite often dirty and heavy, or is the repairer (technician/mechanic) supposed to clean them? Is the time and materials for cleaning the parts to be included in the estimate, or is that also the responsibility of the repairer (technician/mechanic) to foot the cost for that? Are the parts returned for cores required to be held for a period of time according to the regulations?

Fifth-Are other trades subject to the "regulations" for invoicing, or are they specific only to the automotive industry? I have received many invoices from other trades and they were incredibly vague. By the way where can I get a copy of these regulations, I've had my repairer (technician/mechanic) looking for them as I am composing this email and we can't find them anywhere. I would love to know what information is supposed to be on the invoices.

Sixth-Ah the warranty. This is where we get down to it. Section 57.11(1) Why is the repairer (technician/mechanic), responsible for the part and the LABOUR? The part is covered under the manufacturers warranty (some times) excluding electrical products, but why does the repairer (technician/mechanic) have to pay for the labour? Unless it was installed incorrectly they are not responsible in any way, therefore they should not be held financially responsible to repair the consumers motor vehicle. They did not make the faulty part, they did not design the motor vehicle, and they did not operate the the motor vehicle! Consumers have to be responsible for their motor vehicle, or the motor vehicle manufacturer since they designed and built the motor vehicle. The repairer (technician/mechanic) who simply install parts is not responsible for anything unless it can be proven that they were negligent, which is covered in section 57.11(3) which is already in practice in reputable repair facilities as proper business practice and does not require a bill to make real!

I feel bad for Mr. Carson's bad experience but this proposed bill will do nothing to aid in consumer protection. The consumer already has protection in place. It is the Alberta Motor Vehicle Industry Council (AMVIC). This is a government organization shoved in our face that is mandatory for all automotive repair facilities to be a member of at a cost of \$275.00 per year. This industry DOES need attention, however this bill is not going to do anything for either the consumer or the repairer (technician/mechanic). If you want truly want to fix this industry, then do it. Just because you drive motor vehicles does not make you experts. You need to

consult with people in the industry who have the skills and understanding to make it better. I would love to part of this process. This is what I do, this is what I know. Instead of wasting time, money and effort making new rules why not inform and educate consumers of the options already available. Enact new legislation that will actually benefit everyone involved, for example mandatory yearly inspections. Restrictions on retailers selling parts that repairers have to get licenced to install. Mandatory winter tires. These are only the tip of the iceberg on the disaster that is the automotive industry. AMVIC is a good start but there are too many gaps in that system as their focus is mainly on car salesmen. I hope this sheds some light from professionals opinion actively working in the automotive industry. I would be interested in meeting with the committee to further discuss this issue as this is for more involved than could ever be discussed in one email.

***Melvin Durand***

Signature Tire Rimbey

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