

MOTOR VEHICLE SERVICE AND REPAIR ACT (EXCERPT)
Act 300 of 1974

257.1327 Voluntary assurance of discontinuance of alleged violation.

Sec. 27. In mediating a dispute between parties contesting a violation of this act or administrative rule, the administrator may take from a motor vehicle repair facility a voluntary assurance that the facility will discontinue an alleged violation of this act or an administrative rule. The assurance shall be filed in the records of the administrator, shall be open for public inspection, and shall not constitute on the part of the facility making the assurance an admission of any issue of law or fact. The assurance subject to agreement by all parties, may contain provisions whereby:

(a) The facility will refund to an individual consumer an amount of money agreed upon by the parties.

(b) A facility shall take such affirmative action as is appropriate in the judgment of the administrator to correct an alleged violation of this act or a rule.

(c) A facility shall place in escrow a sum of money for the purposes of restitution to an aggrieved consumer pending the outcome of an action pursuant to this act. If the facility accepts the administrator's suggestions and performs accordingly, that fact shall be given due consideration in any subsequent disciplinary proceeding. The assurance shall constitute a contract which may be enforced by the parties in the circuit court upon application being made to the court for that purpose.

History: 1974, Act 300, Eff. Apr. 1, 1975.