

Introduced by

Senators Schobinger, Fischer, Krebsbach, Stenehjem

Representatives Berg, Warner

1 A BILL for an Act to create and enact a new section to chapter 51-07 of the North Dakota
2 Century Code, relating to use of replacement crash parts in motor vehicle repairs.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1.** A new section to chapter 51-07 of the North Dakota Century Code is
5 created and enacted as follows:

6 **Motor vehicle replacement crash parts - Insurance requirements.**

- 7 1. In this section, unless the context otherwise requires:
- 8 a. "Recycled replacement crash part" means a recyclable part or assembly from
9 a salvaged motor vehicle.
- 10 b. "Repair facility" means a collision repair center, a repair shop, a vehicle
11 dealer, or any entity that repairs motor vehicle collision damage.
- 12 c. "Replacement crash part" means a part typically replaced during repair of a
13 damaged motor vehicle, including exterior sheet metal and any plastic
14 component such as a fender, hood, door, bumper system, or related
15 structural component.
- 16 2. Before a repair facility installs any type of replacement crash part, the repair facility
17 shall disclose each type of replacement crash part that will be installed. If a
18 damage repair estimate of repair costs is based on the usage of new aftermarket
19 parts, the repair facility shall notify the owner or owner's representative of the
20 specific use of these parts.
- 21 3. The following "Replacement Crash Parts Notice", reproduced in twelve-point type
22 or larger, must be attached to a copy of the damage repair estimate and must be
23 given to the motor vehicle owner or the motor vehicle owner's authorized

representative before any replacement crash part is installed subject to the conditions in subsection 4:

NOTICE TO CONSUMER

1. A replacement crash part is a part typically replaced during the repair of a damaged motor vehicle, including exterior sheet metal and plastic components including fenders, hoods, doors, bumper systems, and related structural components.
2. The types of replacement crash parts listed on your estimate or repair order No. _____ (copy attached) are from the categories checked below.
3. Warranties for the types of replacement crash parts listed below are provided by the distributor of the replacement parts. Warranty coverage varies.
4. Replacement crash parts types:
 - a. New Original Equipment Manufacturer - A part that is made by the motor vehicle manufacturer or the manufacturer's licensee and distributed through the manufacturer's normal channels.
 - b. New Aftermarket - A part that is made by a person other than the motor vehicle manufacturer or the manufacturer's licensee.
 - c. Recycled - A used part that is removed from another motor vehicle.
 - d. Remanufactured - A part that is returned to like-new condition by repairing, remachining, or rebuilding.
4. If a motor vehicle requires repair by a repair facility, a repair facility shall use new or recycled replacement crash parts sufficient to maintain the vehicle manufacturer's warranty for fit, finish, structural integrity, corrosion resistance, dent resistance, and crash performance.
5. This section only applies to a passenger motor vehicle or a truck the gross weight of which does not exceed ten thousand pounds [4535.92 kilograms].