

Fifty-seventh  
Legislative Assembly  
of North Dakota

## ENGROSSED SENATE BILL NO. 2358

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

1 be given to the motor vehicle owner or the motor vehicle owner's authorized  
2 representative before any replacement crash part is installed subject to the  
3 conditions in subsection 4:

4 NOTICE TO CONSUMER

5 This estimate has been prepared based on the use of automobile parts not made  
6 by the original manufacturer. Parts used in the repair of your vehicle by other than  
7 the original manufacturer are required to be at least equal in kind and quality in  
8 terms of fit, quality, and performance to the original manufactured parts they are  
9 replacing.

- 10 4. If a motor vehicle requires repair by a repair facility, a repair facility shall use new  
11 or recycled replacement crash parts sufficient to maintain the vehicle  
12 manufacturer's warranty for fit, finish, structural integrity, corrosion resistance, dent  
13 resistance, and crash performance.
- 14 5. This section only applies to a passenger motor vehicle or a truck the gross weight  
15 of which does not exceed ten thousand pounds [4535.92 kilograms].