

SENATE BILL NO. 2276

Introduced by

Senators Schobinger, Fischer, B. Stenehjem

Representatives Berg, Keiser, Price

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. "Installer" means an individual who completes the work of repairing collision
9 damage to motor vehicles.
- 10 b. "Insurer" means an insurance company or any person authorized to represent
11 the insurance company with respect to a motor vehicle collision repair claim.
- 12 c. "New aftermarket replacement crash part" means a part made by a person
13 other than the motor vehicle manufacturer or the manufacturer's licensee.
- 14 d. "New original equipment manufacturer replacement crash part" means a part
15 manufactured by an original motor vehicle manufacturer or the manufacturer's
16 licensee.
- 17 e. "Recycled replacement crash part" means a recyclable part or assembly from
18 a salvaged motor vehicle.
- 19 f. "Remanufactured replacement crash part" means a part returned to like-new
20 condition by repairing, remachining, or rebuilding.
- 21 g. "Repair facility" means a collision repair center, a repair shop, a vehicle
22 dealer, or any entity that repairs motor vehicle collision damage.
- 23 h. "Replacement crash part" means a part typically replaced during repair of a
24 collision-damaged motor vehicle, including exterior sheet metal and any

1 plastic component such as a fender, hood, door, bumper system, or related
2 structural component.

3 2. Except as provided under subsection 4, before an insurer requires the use of any
4 type of replacement crash part for the repair of a collision-damaged motor vehicle,
5 the insurer shall disclose to the motor vehicle owner or the motor vehicle owner's
6 authorized representative the type of replacement crash part that will be used.

7 Before an installer installs any type of replacement crash part, the repair facility
8 shall disclose each type of replacement crash part that will be installed and obtain
9 written authorization from the motor vehicle owner or the owner's authorized
10 representative.

11 3. The following "Replacement Crash Parts Notice and Authorization Form",
12 reproduced in twelve-point type or larger, must be attached to a copy of the
13 collision repair estimate and must be signed by the motor vehicle owner or the
14 motor vehicle owner's authorized representative before any replacement crash part
15 is installed:

16 NOTICE TO CONSUMER

17 1. A replacement crash part is a part typically replaced during the repair of a
18 damaged motor vehicle, including exterior sheet metal and plastic
19 components such as fenders, hoods, doors, bumper systems, and related
20 structural components.

21 2. The types of replacement crash parts listed on your estimate or repair order
22 No. _____ (copy attached) are from the categories checked
23 below.

24 3. Warranties for the types of replacement crash parts listed below are provided
25 by the manufacturer or distributor of the replacement parts. Warranty
26 coverage varies. Ask your insurer or repair facility for specific, written
27 warranty information. Additional warranties for replacement crash parts will
28 be provided by _____.

29 4. Replacement crash parts types:

