Fifty-sixth Legislative Assembly of North Dakota

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.
- b. "Insurer" means an insurance company or any person authorized to represent
 the insurance company with respect to a motor vehicle collision repair claim.
- c. "New aftermarket replacement crash part" means a part made by a person
 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.
- e. "Recycled replacement crash part" means a recyclable part or assembly from
 a salvaged motor vehicle.
- 19f."Remanufactured replacement crash part" means a part returned to like-new20condition by repairing, remachining, or rebuilding.
- 21g. "Repair facility" means a collision repair center, a repair shop, a vehicle22dealer, or any entity that repairs motor vehicle collision damage.
- h. "Replacement crash part" means a part typically replaced during repair of a
 collision-damaged motor vehicle, including exterior sheet metal and any

Fifty-sixth Legislative Assembly

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:		

1		a.	New Original Equipment Manufacturer - A part that is made by the		
2			motor vehicle manufacturer or the manufacturer's licensee and		
3			distributed through the manufacturer's normal channels.		
4		b.	New Aftermarket - A part that is made by a person other than the motor		
5			vehicle manufacturer or the manufacturer's licensee.		
6		C.	Recycled - A used part that is removed from another motor vehicle.		
7		d.	Remanufactured - A part that is returned to like-new condition by		
8			repairing, remachining, or rebuilding.		
9		I understand that my motor vehicle will be repaired using the parts notated above.			
10		I authorize the repair facility to install these parts.			
11					
12		Customer Signature Date			
13	4.	If a motor vehicle requires repair by a repair facility during the year of the motor			
14		vehicle's manufacture or in the three years following the year of manufacture, a			
15		repair facility shall use new original equipment manufacturer replacement crash			
16		parts sufficient to maintain the manufacturer's warranty for fit, finish, structural			
17		integrity, corrosion resistance, dent resistance, and crash performance unless the			
18		motor vehicle owner consents in writing at the time of the repair to the use of parts			
19		other than new original equipment manufacturer replacement crash parts. An			
20		insurance company may not require the use of parts other than new original			
21		equipment manufacturer replacement crash parts when negotiating with an			
22		installer for the repair of a motor vehicle during the year the motor vehicle was			
23		manufactured and the three years following the year of manufacture, unless the			
24		motor vehicle owner consents in writing at the time of the repair to the use of parts			
25		other thar	n new original equipment manufacturer replacement crash parts.		