

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

be 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

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

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].