

SENATE BILL REPORT

SHB 2555

As of February 27, 1998

Title: An act relating to the use of aftermarket crash parts for the repair of motor vehicles.

Brief Description: Regulating the use of aftermarket crash parts for the repair of motor vehicles.

Sponsors: House Committee on Financial Institutions & Insurance (originally sponsored by Representatives Zellinsky, Constantine, Sullivan, Carrell and Dickerson).

Brief History:

Committee Activity: Financial Institutions, Insurance & Housing: 2/24/98, 2/26/98.

SENATE COMMITTEE ON FINANCIAL INSTITUTIONS, INSURANCE & HOUSING

Staff: David Cheal (786-7576)

Background: Generally, there are two types of motor vehicle crash parts: crash parts that are manufactured by or for the original manufacturer of the motor vehicle that are authorized to carry the name or trademark of the original manufacturer, and aftermarket crash parts manufactured by someone other than the original manufacturer that are not authorized to carry the name or trademark of the original manufacturer.

Summary of Bill: All non-original equipment manufacturer aftermarket crash parts must be stamped with the name or logo of their manufacturer. Insurers and motor vehicle body shops cannot use non-original manufacturer aftermarket crash parts unless they first disclose to the motor vehicle owner that they are doing so. Furthermore, the insurer or motor vehicle body shop must disclose whether the parts are approved by the Certified Automotive Parts Association, an independent testing organization.

Violations of the act by motor vehicle body shops are violations of the Washington consumer protection statute, while violations by insurers are violations of the Washington insurance code.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Some aftermarket crash parts are different from and inferior to parts manufactured by the vehicle manufacturer. Consumers deserve to be informed when aftermarket crash parts are being used.

Testimony Against: Requiring disclosure only if aftermarket parts are being used is inherently derogatory of aftermarket parts. Most aftermarket parts are at least as good as those supplied by vehicle manufacturers. Insurance companies have an incentive to ensure the use of quality parts, so the risk of poor quality parts is minimal.

Testified: Tim Schellberg, Autobody Craftsman Association (pro); Jim Boldt, Washington Auto Dealers Association (pro); Larry Stevens, Washington Automotive Wholesalers Association (con); Mike West, Southtowne Auto Rebuild (pro);.