
HOUSE BILL 1122

State of Washington

56th Legislature

1999 Regular Session

By Representatives Keiser, Cairnes, Hatfield, DeBolt, Sullivan, Quall and Lambert

Read first time 01/14/1999. Referred to Committee on Financial Institutions & Insurance.

1 AN ACT Relating to the use of imitation crash parts for repair of
2 motor vehicles; adding a new section to chapter 48.30 RCW; and adding
3 a new chapter to Title 19 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The legislature finds and declares as a
6 matter of public policy that the purpose of this chapter is to regulate
7 the use of imitation crash parts by requiring disclosure and consumer
8 consent when any use of imitation crash parts is proposed.

9 NEW SECTION. **Sec. 2.** The definitions in this section apply
10 throughout this chapter and section 3 of this act unless the context
11 clearly requires otherwise.

12 (1) "Imitation crash part" means a replacement for any of the
13 nonmechanical sheet metal or plastic parts that generally constitute
14 the exterior of a motor vehicle, including inner and outer panels,
15 which was not made for or by the manufacturer of that motor vehicle.

16 (2) "Motor vehicle body shop" means a person or business
17 establishment that undertakes the repair of collision damage to
18 vehicles.

1 (3) "Genuine crash part" means a replacement part for any of the
2 nonmechanical sheet metal or plastic parts that generally constitute
3 the exterior of a motor vehicle, including inner and outer panels,
4 which was manufactured by or for the original manufacturer of that
5 motor vehicle.

6 NEW SECTION. **Sec. 3.** A new section is added to chapter 48.30 RCW
7 to read as follows:

8 (1) No insurance company may require the use of imitation crash
9 parts in the repair of a motor vehicle for a period of five years
10 running from the year the motor vehicle was manufactured unless the
11 motor vehicle owner consents in writing at the time of the repair. If
12 the motor vehicle owner consents to the use of imitation crash parts,
13 the insurer must specify on the repair estimate which parts are genuine
14 crash parts and which parts are imitation crash parts and must include
15 with the estimate a disclosure document containing the following
16 information in no smaller than twelve-point type:

17 THIS ESTIMATE IS BASED UPON THE USE OF IMITATION CRASH
18 PARTS THAT WERE MANUFACTURED NEITHER BY THE ORIGINAL
19 MANUFACTURER OF THE MOTOR VEHICLE NOR BY A MANUFACTURER
20 AUTHORIZED BY THE ORIGINAL MANUFACTURER OF THE VEHICLE TO USE
21 ITS NAME OR TRADEMARK. THE USE OF AN IMITATION CRASH PART
22 INVALIDATES ANY REMAINING WARRANTY OF THE ORIGINAL PART IT
23 REPLACES. THE ONLY WARRANTIES, IF ANY, COVERING IMITATION
24 CRASH PARTS ARE THOSE THAT MAY BE MADE BY THE MANUFACTURER OR
25 DISTRIBUTOR OF THOSE IMITATION PARTS.

26 I UNDERSTAND THAT MY VEHICLE WILL BE REPAIRED USING
27 IMITATION CRASH PARTS AS SPECIFIED IN THE REPAIR ESTIMATE, AND
28 I AUTHORIZE THE REPAIR FACILITY TO INSTALL THOSE SPECIFIED
29 PARTS.

30 _____
31 CUSTOMER SIGNATURE DATE

32 (2) Insurers may use imitation crash parts on vehicles six years
33 old and older only if the insurer specifies on the estimate which parts
34 are genuine crash parts and which parts are imitation crash parts and
35 includes with the estimate a disclosure document containing the
36 following information in no smaller than twelve-point type:

1 (2) Motor vehicle body shops may use imitation crash parts on
2 vehicles six years old and older only if the motor vehicle body shop
3 specifies on the estimate which parts are genuine crash parts and which
4 parts are imitation crash parts and includes with the estimate a
5 disclosure document containing the following information in no smaller
6 than twelve-point type:

7 THIS ESTIMATE IS BASED UPON THE USE OF IMITATION CRASH
8 PARTS THAT WERE MANUFACTURED NEITHER BY THE ORIGINAL
9 MANUFACTURER OF THE MOTOR VEHICLE NOR BY A MANUFACTURER
10 AUTHORIZED BY THE ORIGINAL MANUFACTURER OF THE VEHICLE TO USE
11 ITS NAME OR TRADEMARK. THE USE OF AN IMITATION CRASH PART
12 INVALIDATES ANY REMAINING WARRANTY OF THE ORIGINAL PART IT
13 REPLACES. THE ONLY WARRANTIES, IF ANY, COVERING IMITATION
14 CRASH PARTS ARE THOSE THAT MAY BE MADE BY THE MANUFACTURER OR
15 DISTRIBUTOR OF THOSE IMITATION PARTS.

16 I UNDERSTAND THAT MY VEHICLE WILL BE REPAIRED USING
17 IMITATION CRASH PARTS AS SPECIFIED IN THE REPAIR ESTIMATE, AND
18 I AUTHORIZE THE REPAIR FACILITY TO INSTALL THOSE SPECIFIED
19 PARTS.

20 NEW SECTION. **Sec. 5.** The legislature finds that the practices
21 covered by this chapter are matters vitally affecting the public
22 interest for the purpose of applying the consumer protection act,
23 chapter 19.86 RCW. A violation of this chapter is not reasonable in
24 relation to the development and preservation of business and is an
25 unfair or deceptive act in trade or commerce and an unfair method of
26 competition for the purpose of applying the consumer protection act,
27 chapter 19.86 RCW.

28 NEW SECTION. **Sec. 6.** Sections 1, 2, 4, and 5 of this act
29 constitute a new chapter in Title 19 RCW.

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