

---

**SENATE BILL 5524**

---

**State of Washington**

**56th Legislature**

**1999 Regular Session**

**By** Senators Prentice and Winsley

Read first time 01/26/1999. Referred to Committee on Commerce, Trade, Housing & Financial Institutions.

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

10 I UNDERSTAND THAT MY VEHICLE WILL BE REPAIRED USING  
11 IMITATION CRASH PARTS AS SPECIFIED IN THE REPAIR ESTIMATE, AND  
12 I AUTHORIZE THE REPAIR FACILITY TO INSTALL THOSE SPECIFIED  
13 PARTS.

14 NEW SECTION. **Sec. 4.** (1) No motor vehicle body shop may require  
15 the use of imitation crash parts in the repair of a motor vehicle for  
16 a period of five years running from the year the motor vehicle was  
17 manufactured unless the motor vehicle owner consents in writing at the  
18 time of the repair. If the motor vehicle owner consents to the use of  
19 imitation crash parts, the motor vehicle body shop must specify on the  
20 estimate which parts are genuine crash parts and which parts are  
21 imitation crash parts and must include with the estimate a disclosure  
22 document containing the following information in no smaller than  
23 twelve-point type:

24 THIS ESTIMATE IS BASED UPON THE USE OF IMITATION CRASH  
25 PARTS THAT WERE MANUFACTURED NEITHER BY THE ORIGINAL  
26 MANUFACTURER OF THE MOTOR VEHICLE NOR BY A MANUFACTURER  
27 AUTHORIZED BY THE ORIGINAL MANUFACTURER OF THE VEHICLE TO USE  
28 ITS NAME OR TRADEMARK. THE USE OF AN IMITATION CRASH PART  
29 INVALIDATES ANY REMAINING WARRANTY OF THE ORIGINAL PART IT  
30 REPLACES. THE ONLY WARRANTIES, IF ANY, COVERING IMITATION  
31 CRASH PARTS ARE THOSE THAT MAY BE MADE BY THE MANUFACTURER OR  
32 DISTRIBUTOR OF THOSE IMITATION PARTS.

33 I UNDERSTAND THAT MY VEHICLE WILL BE REPAIRED USING  
34 IMITATION CRASH PARTS AS SPECIFIED IN THE REPAIR ESTIMATE, AND  
35 I AUTHORIZE THE REPAIR FACILITY TO INSTALL THOSE SPECIFIED  
36 PARTS.

37 \_\_\_\_\_  
38 CUSTOMER SIGNATURE DATE

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.

--- END ---