

SENATE BILL NO. 320

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SECOND LEGISLATURE - SECOND SESSION

BY SENATOR COWDERY

Introduced: 2/19/02

Referred: Transportation, Labor and Commerce

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to certain motor vehicle repairs and prohibiting discrimination in**
2 **motor vehicle insurance rates based on credit rating or credit scoring; and providing for**
3 **an effective date."**

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 * **Section 1.** AS 21.36 is amended by adding a new section to read:

6 **Sec. 21.36.295. Coverage for certain motor vehicle aftermarket crash parts.**

7 (a) An insurer that offers a personal automobile insurance policy that provides coverage
8 for repair of the automobile shall provide the insured a warranty for aftermarket crash
9 parts if a warranty is requested by the insured.

10 (b) Except with the consent of the insured, an insurer may not require, directly or
11 indirectly, that a motor vehicle repair shop supply or install an aftermarket crash part,
12 unless the part is certified by an independent test facility to be at least equivalent in fit,
13 finish, function, and corrosion resistance to the part being replaced.

14 (c) In this section, "aftermarket crash part" has the meaning given in

1 AS 45.45.185.

2 * **Sec. 2.** AS 21.39.030 is amended by adding a new subsection to read:

3 (d) An insurer or underwriter may not base a standard, rate, or rating plan for
4 motor vehicle insurance, in whole or in part, directly or indirectly, upon a person's
5 credit rating or credit scoring.

6 * **Sec. 3.** AS 45.45 is amended by adding a new section to read:

7 **Sec. 45.45.185. Motor vehicle repairs.** (a) An invoice prepared by a motor
8 vehicle repair facility for repair work must indicate if an aftermarket crash part is used in
9 making a repair.

10 (b) If a crash part used in the repair work is supplied by the original equipment
11 manufacturer, the motor vehicle repair facility shall provide a warranty that guarantees
12 that the part meets or exceeds standards used in manufacturing the original part.

13 (c) If a crash part used in the repair work is not supplied by the original
14 equipment manufacturer, the motor vehicle repair facility shall include in the repair cost
15 estimate the following statement:

16 This estimate has been prepared based on the use of a motor
17 vehicle replacement part not made by the original equipment
18 manufacturer. The use of a motor vehicle replacement part not
19 made by the original equipment manufacturer may invalidate the
20 remaining warranty of the original equipment manufacturer on
21 that motor vehicle part. The person who prepared this estimate
22 will provide a copy of the warranty for parts not made by the
23 original equipment manufacturer for comparison purposes.

24 (d) A motor vehicle repair facility may not supply or install an aftermarket crash
25 part unless the part is certified by an independent test facility to be at least equivalent in
26 fit, finish, function, and corrosion resistance to the part being replaced.

27 (e) In this section, "aftermarket crash part" means a metal or plastic motor
28 vehicle replacement part that is not supplied by the original equipment manufacturer and
29 that is generally installed as a result of a crash or collision.

30 * **Sec. 4.** This Act takes effect immediately under AS 01.10.070(c).