

SENATE BILL NO. 348

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

BY THE SENATE TRANSPORTATION COMMITTEE

Introduced: 3/13/02

Referred: Transportation, Labor and Commerce

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to insurance for and work on certain motor vehicle repairs; and**
2 **providing for an effective date."**

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

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

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

6 (a) An insurer that offers a personal automobile insurance policy that provides coverage
7 for repair of the automobile shall provide the insured a warranty for aftermarket crash
8 parts if a warranty is requested by the insured. The warranty must guarantee that the part
9 meets or exceeds standards used in manufacturing the original part. Before issuing or
10 renewing a personal automobile insurance policy, the insurer shall provide the applicant
11 or insured written notice of the warranty available under this subsection.

12 (b) An insurer may not require, directly or indirectly, that a motor vehicle repair
13 shop supply or install an aftermarket crash part unless the use of the part is allowed under
14 AS 45.45.185(a) and the part is at least equivalent in fit, finish, function, and corrosion

1 resistance to the part being replaced.

2 (c) In this section, "aftermarket crash part" has the meaning given in
3 AS 45.45.185.

4 * **Sec. 2.** AS 45.45 is amended by adding a new section to read:

5 **Sec. 45.45.185. Motor vehicle repairs.** (a) Except with the consent of the
6 motor vehicle owner, a motor vehicle repair facility may not use an aftermarket crash
7 part for repair work on a motor vehicle if the motor vehicle is being repaired during the
8 year of the vehicle's manufacture or during the three years following the year of the
9 vehicle's manufacture.

10 (b) An invoice prepared by a motor vehicle repair facility for repair work must
11 indicate if an aftermarket crash part is used in making a repair allowed under this section.

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

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

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

26 (e) A motor vehicle repair facility may not supply or install an aftermarket crash
27 part unless the part is at least equivalent in fit, finish, function, and corrosion resistance to
28 the part being replaced.

29 (f) In this section, "aftermarket crash part" means a motor vehicle replacement
30 part that is not supplied by or at the direction of the original equipment manufacturer and
31 that is generally installed as a result of a crash or collision.

1 * **Sec. 3.** This Act takes effect immediately under AS 01.10.070(c).