

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

James H. Fagan

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act providing additional consumer protections in the repair of damaged motor vehicles. .

PETITION OF:

NAME:	DISTRICT/ADDRESS:
James H. Fagan	3rd Bristol

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 3469 OF 2007-2008.]

The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine
—————

AN ACT PROVIDING ADDITIONAL CONSUMER PROTECTIONS IN THE REPAIR OF DAMAGED MOTOR VEHICLES. .

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority
of the same, as follows:*

- 1 SECTION 1. Chapter 90 of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by
2 striking out section 34R and inserting in place thereof the following section:—
3 Section 34R. (a) Whenever repairs are necessary to the visible exterior sheet metal or plastic parts of a
4 damaged motor vehicle, any insurer or repairer preparing a written estimate of the cost of such repairs shall clearly
5 identify in such estimate each major generic crash part to be used which is not manufactured or supplied by the
6 original manufacturer of the motor vehicle.
7 For the purposes of this section, "crash parts" shall mean motor vehicle parts of sheet metal or plastic that constitutes
8 the visible exterior of the vehicle, including inner and outer panels, which are to be repaired or replaced as the result
9 of a collision.
10 For the purposes of this section, "generic crash parts" shall mean motor vehicle parts of sheet metal or plastic that
11 constitutes the visible exterior of the vehicle, including inner and outer panels, which are to be repaired or replaced
12 as the result of a collision and which are not manufactured by the original manufacturer of the motor vehicle.-
13 (b) A notification shall be attached to, or included in, the estimate and shall contain the following information in no
14 smaller than ten point type:
15 That of crash parts supplied by the manufacturer of your vehicle or on generic crash parts supplied by an
16 independent manufacturer. All generic crash parts used in preparation of this estimate are warranted by your insurer
17 and the manufacturer and/or distributor of such parts.
18 (c) The insurer or repairer, as the case may be, shall give a copy of such estimate and such notice to the person for
19 whom the estimate is prepared.
20 (d) The repairer shall, on the customer's repair order or repair certification form, identify by name the manufacturer
21 or supplier of any non-original manufacturer crash parts used in making the actual repairs.
22 (e) All crash parts, both original equipment manufacturer parts and generic crash parts, manufactured after January
23 1, 2004 shall carry sufficient permanent identification so as to identify its manufacturer. Such identification shall be
24 accessible to the extent possible after installation.