



28 As used in Sections 31A-22-316 through 31A-22-319:

29 (1) "Aftermarket crash part" means a replacement for any of the nonmechanical sheet metal  
30 or plastic parts that generally constitute the exterior of a motor vehicle, including inner  
31 and outer panels.

32 (2) "Installer" means an individual who replaces or repairs the parts of a motor vehicle.

33 (3) "Insurer" means an insurance company and any person authorized to represent the  
34 insurer with respect to a claim.

35 (4) "Nonoriginal equipment manufacturer" or "non-OEM" means a manufacturer of  
36 replacement parts for a different manufacturer's equipment.

37 (5) "Non-OEM aftermarket crash part" means an aftermarket crash part not made for or by  
38 the manufacturer of the motor vehicle.

39 (6) "OEM aftermarket crash part" means an aftermarket crash part made for or by the  
40 manufacturer of the motor vehicle.

41 [~~(6)~~] (7) "Repair facility" means any motor vehicle dealer, garage, body shop, or other  
42 commercial entity that repairs or replaces those parts that generally constitute the  
43 exterior of a motor vehicle.

44 Section 2. Section **31A-22-319** is amended to read:

45 **31A-22-319 . Prohibition on insurer requiring certain parts -- Disclosure.**

46 (1) Unless [~~the insured is given~~] an insurer gives an insured notice in writing an insurer may  
47 not specify the use of non-OEM aftermarket crash parts in the repair of an insured's  
48 motor vehicle. [~~The notice required by Subsection (1) shall identify non-OEM parts as~~  
49 ~~not made for or by the vehicle manufacturer.~~]

50 [~~(2) Unless the consumer is given notice in writing prior to installation, a repair facility or~~  
51 ~~installer may not use non-OEM aftermarket parts to repair a vehicle.~~]

52 (2)(a) For a policy issued on or after October 1, 2026, the insurer shall provide to the  
53 insured, at the time of issuance and renewal, a written notice stating that the insurer  
54 may authorize or specify the use of aftermarket crash parts in the event of a covered  
55 loss.

56 (b) An insurer may provide the notice described in Subsection (2)(a) electronically in  
57 accordance with applicable law.

58 (c) The notice described in Subsection (2)(a):

59 (i) is informational only and does not create, expand, or alter coverage or obligations  
60 under the policy; and

61 (ii) shall include the following disclosure in at least 10-point font: "In the event of a

62 covered loss, the insurer may authorize or specify the use of aftermarket crash  
63 parts supplied by a source other than the manufacturer of your vehicle. Parts used  
64 in the repair of your vehicle by a manufacturer other than the original  
65 manufacturer are required to be at least equivalent in kind and quality in terms of  
66 fit, quality, and performance to the original parts they are replacing."

67 (3) ~~[In all instances where non-OEM aftermarket crash parts are intended for use by an~~  
68 ~~insurer:]~~ When an insurer authorizes or specifies the use of a non-OEM aftermarket crash  
69 part,

70 ~~[(a)]~~ the written estimate shall:

71 (a) ~~[-]~~clearly identify each non-OEM aftermarket crash part; and

72 (b) ~~[a disclosure document containing the -]~~ contain the following [statements] disclosure  
73 in [10-point or larger type shall appear on or be-] at least 10-point font, that appears on  
74 or is attached to the insured's copy of the estimate: "This estimate has been prepared  
75 based on the authorization of your insurer and the use of aftermarket crash parts [  
76 supplied by a source other than the] not made by the original manufacturer of your  
77 motor vehicle. Parts used in the repair of your vehicle that are made by a  
78 manufacturer other than the original manufacturer are required to be at least  
79 equivalent in kind and quality in terms of fit, quality, and performance. Warranties  
80 applicable to these replacement parts are provided by the manufacturer or distributor  
81 of these parts rather than the manufacturer of your vehicle."

82 (4) Nothing in this section:

83 (a) creates an express or implied warranty by the insurer beyond the terms of the policy  
84 of insurance;

85 (b) requires an insurer to provide coverage for OEM aftermarket crash parts unless the  
86 coverage is expressly provided in the policy; or

87 (c) prohibits the voluntary use of OEM aftermarket crash parts.

88 (5) Notwithstanding Sections 31A-2-101 and 31A-2-201, the department and the  
89 commissioner are not required to administer or otherwise enforce Subsection (3).

90 **Section 3. Effective Date.**

91 This bill takes effect on May 6, 2026.