

# HB0119S04 compared with HB0119S03

~~{Omitted text}~~ shows text that was in HB0119S03 but was omitted in HB0119S04  
inserted text shows text that was not in HB0119S03 but was inserted into HB0119S04

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1 **Automotive Repair Business Amendments**  
2026 GENERAL SESSION  
STATE OF UTAH  
**Chief Sponsor: Colin W. Jack**  
Senate Sponsor: Don L. Ipson



2  
3 **LONG TITLE**

4 **General Description:**

5 This bill amends provisions ~~{related}~~ relating to automotive repairs.

6 **Highlighted Provisions:**

7 This bill:

- 8 ▶ defines ~~{terms;}~~ "OEM aftermarket crash part";
- 9 ▶ requires that an insurer disclose the ~~{type}~~ use of a non-OEM aftermarket crash part ~~{the insurer will use in}~~ on an application for a policy of insurance;
- 11 ▶ provides that if an insurer does not disclose the use of a non-OEM aftermarket crash part in an application for a policy of insurance, a repair facility or installer may not use a non-OEM aftermarket crash part in a repair;
- 11 ▶ requires that an insurer use ~~{the type of}~~ non-OEM aftermarket crash parts that are similar to OEM aftermarket crash ~~{part the insurer discloses when making a repair}~~ parts;
- 13 ▶ ~~{requires that an insurer disclose whether an aftermarket crash part has been certified by an independent testing organization;}~~
- 15 ▶

**HB0119S03**

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~~{ requires that an insurer provide a notice of aftermarket crash parts before the renewal of a policy of insurance; }~~

17       ▶ provides that the commissioner of the Insurance Department and the Insurance Department are  
not required to administer or enforce ~~{ provisions }~~ a provision this bill enacts; and

19       ▶ makes technical changes.

### 19 **Money Appropriated in this Bill:**

20       None

### 21 **Other Special Clauses:**

22       None

### 23 **Utah Code Sections Affected:**

24       AMENDS:

25       **31A-22-317** , as renumbered and amended by Laws of Utah 1995, Chapter 8

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28 *Be it enacted by the Legislature of the state of Utah:*

29       Section 1. Section **31A-22-317** is amended to read:

### 30 **31A-22-317. Definitions.**

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

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

36 ~~{(2) "Independent testing organization" means an entity that: }~~

37 ~~{(a) conducts testing of non-OEM aftermarket crash parts to determine whether the non-OEM  
aftermarket crash parts are equal to the quality, safety, fit, and performance of an OEM aftermarket  
crash part; and }~~

40 ~~{(b) issues a certification to a non-OEM aftermarket crash part that the entity determines is equal to the  
quality, safety, fit, and performance of an OEM aftermarket crash part. }~~

42 ~~{(2){ } {(3){ } }~~ "Installer" means an individual who replaces or repairs the parts of a motor vehicle.

43 ~~{(3){ } {(4){ } }~~ "Insurer" means an insurance company and any person authorized to represent the  
insurer with respect to a claim.

45 ~~{(4){ } {(5){ } }~~ "Nonoriginal equipment manufacturer" or "non-OEM" means a manufacturer of  
replacement parts for a different manufacturer's equipment.

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47    ~~{(5){}}~~ ~~{(6)}~~ "Non-OEM aftermarket crash part" means an aftermarket crash part not made for or by  
the manufacturer of the motor vehicle.

49    (7){(6)} "OEM aftermarket crash part" means an aftermarket crash part made for or by the  
manufacturer of the motor vehicle.

51    ~~{(6)}~~ (8){(7)} "Repair facility" means any motor vehicle dealer, garage, body shop, or other commercial  
entity that repairs or replaces those parts that generally constitute the exterior of a motor vehicle.

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

48    31A-22-319. ~~{Disclosure of use of aftermarket crash parts required in application for policy~~  
~~of insurance -- Requirements}~~ Prohibition on insurer ~~{when using non-OEM aftermarket crash}~~  
requiring certain parts-- Disclosure.

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

62    ~~{(1)}~~

~~{(a) If an insurer intends to use non-OEM aftermarket crash parts in a policy of insurance, the insurer~~  
~~shall include on each application that the insurer provides to a potential insured the following~~  
~~disclosure on the application, in at least 10-point font: "This application is based on the use of crash~~  
~~parts supplied by a source other than the manufacturer of your vehicle. Any warranty applicable to~~  
~~those crash parts will be provided by the manufacturer or distributor of those crash parts rather than~~  
~~the manufacturer of your vehicle."}~~

69    ~~{(b) If an insurer intends to use OEM aftermarket crash parts in a policy of insurance, the insurer shall~~  
~~include on each application the insurer provides to a potential insured the following disclosure on~~  
~~the application, in at least 10-point font: "This application is based on the use of original equipment~~  
~~manufacturer parts made by the manufacturer of your vehicle. Any warranty applicable to those~~  
~~crash parts will be provided by the manufacturer of your vehicle."}~~

75    ~~{(2)}~~

~~{(a) When an insured makes a claim that will require the repair or replacement of one or more parts of~~  
~~the insured's motor vehicle, the insurer shall use the type of aftermarket crash part identified in the~~  
~~application the insurer provides to the insured in accordance with Subsection (1) for the repair.}~~

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~~[(2){ } {(b)}] Unless the {f} consumer is given { } insurer gives the insured } notice in writing {f} prior to installation { } on the application in accordance with Subsection (1)(a)}, a repair facility or installer may not use non-OEM aftermarket { -crash } parts to repair a vehicle.]~~

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(2)

(a) If an insurer intends to use non-OEM aftermarket crash parts in the repair of an insured's or a potential insured's vehicle, the insurer shall include on each application and renewal that the insurer provides to an insured or a potential insured the following disclosure on the application or renewal application, in at least 10-point font: "This application is based on the use of non-OEM aftermarket crash parts authorized by your insurance carrier and supplied by a source other than the manufacturer of your vehicle."

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(b) If an insurer does not give an insured or potential insured notice in writing in accordance with Subsection (2)(a), a repair facility or installer may not use non-OEM aftermarket crash parts to repair a vehicle.

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~~(3) [In all instances where non-OEM aftermarket crash parts are intended for use by an insurer] When an insurer intends to use a non-OEM aftermarket crash part:~~

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(a) the written estimate shall:

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(i) [ ] clearly identify { [each { } ] the } non-OEM aftermarket crash part; { [ and ] }

86

[ (b) ] (ii) [ a disclosure document containing the ] contain the following statements in [ 10 point or larger type { } at least 10-point font } shall appear on or be ] at least 10-point font, on or attached to the insured's copy of the estimate: "This estimate has been prepared based on the authorization of your insurer and the use of crash parts supplied by a source other than the manufacturer of your motor vehicle. Warranties applicable to these replacement parts are provided by the manufacturer or distributor of these parts rather than the manufacturer of your vehicle." ; and

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(c) { (b) } the insurer shall { ~~disclose to the insured whether~~ } ensure that the non-OEM aftermarket crash part { ~~has been issued a certification by an independent testing organization~~ } used is equivalent to like, kind, quality, safety, fit, and performance of an OEM aftermarket crash part.

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(4) { ~~On or before the day on which an insured renews the insured's policy of insurance~~ } Notwithstanding Sections 31A-2-101 and 31A-2-201, the { ~~insurer shall send a notice to~~ } department and the { ~~insured that states:~~ } commissioner are not required to administer or otherwise enforce Subsection (3).

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~~{(a)} {if the insured's policy covers the use of non-OEM aftermarket parts: "Your policy covers the use of crash parts supplied by a source other than the manufacturer of your vehicle. Any warranty applicable to those crash parts will be provided by the manufacturer or distributor of those crash parts rather than the manufacturer of your vehicle."; or} }~~

101 ~~{(b)} {if the insured's policy covers the use of OEM aftermarket parts: "Your policy covers the use of original equipment manufacturer parts made by the manufacturer of your vehicle. Any warranty applicable to those crash parts will be provided by the manufacturer of your vehicle."} }~~

105 ~~{(5)} {Notwithstanding Sections 31A-2-101 and 31A-2-201, the department and the commissioner are not required to administer or otherwise enforce this section.} }~~

80 Section 3. **Effective date.**

Effective Date.

This bill takes effect on May 6, 2026.

2-24-26 5:53 PM