

Colin W. Jack proposes the following substitute bill:

Automotive Repair Business Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Colin W. Jack

Senate Sponsor: Don L. Ipson

LONG TITLE

General Description:

This bill amends provisions related to automotive repairs.

Highlighted Provisions:

This bill:

- defines terms;
- requires that an insurer disclose the type of aftermarket crash part the insurer will use in a policy of insurance;
- requires that an insurer use the type of aftermarket crash part the insurer discloses when making a repair;
- requires that an insurer disclose whether an aftermarket crash part has been certified by an independent testing organization;
- requires that an insurer provide a notice of aftermarket crash parts before the renewal of a policy of insurance;
- provides that the commissioner of the Insurance Department and the Insurance Department are not required to administer or enforce provisions this bill enacts; and
- makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

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

31A-22-319, as renumbered and amended by Laws of Utah 1995, Chapter 8

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

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

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

32 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
34 or plastic parts that generally constitute the exterior of a motor vehicle, including inner
35 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
38 non-OEM aftermarket crash parts are equal to the quality, safety, fit, and
39 performance of an OEM aftermarket crash part; and

40 (b) issues a certification to a non-OEM aftermarket crash part that the entity determines
41 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
44 insurer with respect to a claim.

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

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

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

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

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

55 **31A-22-319 . Disclosure of use of aftermarket crash parts required in application**
56 **for policy of insurance -- Requirements on insurer when using non-OEM aftermarket**
57 **crash parts.**

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

62 (1)(a) If an insurer intends to use non-OEM aftermarket crash parts in a policy of

63 insurance, the insurer shall include on each application that the insurer provides to a
 64 potential insured the following disclosure on the application, in at least 10-point font:
 65 "This application is based on the use of crash parts supplied by a source other than
 66 the manufacturer of your vehicle. Any warranty applicable to those crash parts will
 67 be provided by the manufacturer or distributor of those crash parts rather than the
 68 manufacturer of your vehicle."

69 (b) If an insurer intends to use OEM aftermarket crash parts in a policy of insurance, the
 70 insurer shall include on each application the insurer provides to a potential insured
 71 the following disclosure on the application, in at least 10-point font: "This application
 72 is based on the use of original equipment manufacturer parts made by the
 73 manufacturer of your vehicle. Any warranty applicable to those crash parts will be
 74 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
 76 or more parts of the insured's motor vehicle, the insurer shall use the type of
 77 aftermarket crash part identified in the application the insurer provides to the insured
 78 in accordance with Subsection (1) for the repair.

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

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

84 (a) the written estimate shall clearly identify [each] the non-OEM aftermarket crash part;[
 85 and]

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

92 (c) the insurer shall disclose to the insured whether the non-OEM aftermarket crash part
 93 has been issued a certification by an independent testing organization.

94 (4) On or before the day on which an insured renews the insured's policy of insurance, the
 95 insurer shall send a notice to the insured that states:

96 (a) if the insured's policy covers the use of non-OEM aftermarket parts: "Your policy

97 covers the use of crash parts supplied by a source other than the manufacturer of your
98 vehicle. Any warranty applicable to those crash parts will be provided by the
99 manufacturer or distributor of those crash parts rather than the manufacturer of your
100 vehicle."; or

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

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

107 Section 3. **Effective Date.**

108 This bill takes effect on May 6, 2026.