

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

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**LONG TITLE**

**General Description:**

This bill amends provisions relating to automotive repairs.

**Highlighted Provisions:**

This bill:

- defines "OEM aftermarket crash part";
- requires that an insurer disclose the use of a non-OEM aftermarket crash part on an application for a policy of insurance;
- 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;
- requires that an insurer use non-OEM aftermarket crash parts that are similar to OEM aftermarket crash parts;
- provides that the commissioner of the Insurance Department and the Insurance Department are not required to administer or enforce a provision 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

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*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.**

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

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

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

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

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

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

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

44 [~~(6)~~] (7) "Repair facility" means any motor vehicle dealer, garage, body shop, or other  
45 commercial entity that repairs or replaces those parts that generally constitute the  
46 exterior of a motor vehicle.

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

48 **31A-22-319 . Prohibition on insurer requiring certain parts -- Disclosure.**

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

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

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

62 (b) If an insurer does not give an insured or potential insured notice in writing in

63 accordance with Subsection (2)(a), a repair facility or installer may not use non-OEM  
64 aftermarket crash parts to repair a vehicle.

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

67 (a) the written estimate shall:

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

69 ~~[(b)] (ii) [a disclosure document containing the-]~~ contain the following statements in [  
70 10 point or larger type shall appear on or be-] at least 10-point font, on or attached  
71 to the insured's copy of the estimate: "This estimate has been prepared based on  
72 the authorization of your insurer and the use of crash parts supplied by a source  
73 other than the manufacturer of your motor vehicle. Warranties applicable to these  
74 replacement parts are provided by the manufacturer or distributor of these parts  
75 rather than the manufacturer of your vehicle."; and

76 (b) the insurer shall ensure that the non-OEM aftermarket crash part used is equivalent  
77 to like, kind, quality, safety, fit, and performance of an OEM aftermarket crash part.

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

80 Section 3. **Effective Date.**

81 This bill takes effect on May 6, 2026.