

2nd Sub. S.B. 120

VEHICLE REPAIR AND NOTIFICATION AMENDMENTS

HOUSE COMMITTEE AMENDMENTS

AMENDMENT 2

MARCH 6, 2020 10:05 AM

Representative **Raymond P. Ward**

1. Page 6, Lines 153 through 171:

- 153 ~~{(5)}~~ **(5)** Governance of the use of glass, parts, tools, or equipment in the course of an
154 insurer-funded repair is solely dictated by the policy holder's insurance policy.
- 155 ~~{(6)}~~ **(5)** An automotive glass company or repair facility may only bill or charge for vehicle
156 glass repair, replacement, or recalibration services that are performed and necessary.
- 157 ~~{(7)}~~ **(6)** A violation described in Subsections (1) through ~~{(6)}~~ **(5)** is a civil penalty
158 of \$500.
- 159 ~~{(8)}~~ **(7)** A person with actual knowledge that the advanced driver assistance system of a
160 motor vehicle is inoperable or has not been repaired or recalibrated after a vehicle glass repair
161 or replacement as described in this section may not knowingly sell, offer for sale, or display for
162 sale, the motor vehicle without providing written notice to the purchaser that:
163 (a) the advanced driver assistance system has not been repaired or recalibrated to the
164 manufacturer's specifications; or
165 (b) the advanced driver assistance system is inoperable.
- 166 ~~{(9)}~~ **(8)** A person who violates Subsection ~~{(8)}~~ **(7)** is guilty of a class B
167 misdemeanor.
- 168 ~~{(10)}~~ **(9)** (a) In addition to any other penalties, a purchaser may bring a civil action to
169 recover damages resulting from a seller's failure to provide notice under Subsection ~~{(8)}~~ **(7)** .
170 (b) The amount of damages that may be recovered in a civil action described in
171 Subsection ~~{(10)(a)}~~ **(9)(a)** is the greater of:
 (i) the amount of the actual damages; or
 (ii) \$1,500.