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HOUSE BILL 3056

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State of Washington

60th Legislature

2008 Regular Session

By Representatives Kirby, Hasegawa, and Ormsby

Read first time 01/21/08. Referred to Committee on Insurance,  
Financial Services & Consumer Protection.

1 AN ACT Relating to the use of original equipment manufacturer crash  
2 parts for repair of motor vehicles; and adding a new section to chapter  
3 48.30 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 48.30 RCW  
6 to read as follows:

7 (1) As used in this section:

8 (a) "Nonoriginal equipment manufacturer crash part" means a  
9 replacement for any of the nonmechanical sheet metal or plastic parts  
10 that generally constitute the exterior of a motor vehicle, including  
11 inner and outer panels, that was not made for or by the manufacturer of  
12 that motor vehicle.

13 (b) "Original equipment manufacturer crash part" means a  
14 replacement part for any of the nonmechanical sheet metal or plastic  
15 parts that generally constitute the exterior of a motor vehicle,  
16 including inner and outer panels, that was manufactured by or for the  
17 original manufacturer of that motor vehicle.

18 (2) An insurer may not require the use of nonoriginal equipment  
19 manufacturer crash parts in the repair of a motor vehicle for a period

1 of five years running from the production month and year the motor  
2 vehicle was manufactured or while the vehicle is under manufacturer's  
3 warranty unless the customer or customer's designee consents in writing  
4 at the time of the repair. If the customer or customer's designee  
5 consents to the use of nonoriginal equipment manufacturer crash parts,  
6 the insurer must specify on the repair estimate which parts are  
7 original equipment manufacturer crash parts and which parts are  
8 nonoriginal equipment manufacturer crash parts and must include with  
9 the estimate a disclosure document containing the following information  
10 in no smaller than twelve-point type:

11 THIS ESTIMATE IS BASED UPON THE USE OF NONORIGINAL  
12 EQUIPMENT MANUFACTURER CRASH PARTS THAT WERE MANUFACTURED  
13 NEITHER BY THE ORIGINAL MANUFACTURER OR THE MOTOR VEHICLE NOR  
14 BY A MANUFACTURER AUTHORIZED BY THE ORIGINAL MANUFACTURER OF  
15 THE VEHICLE TO USE ITS NAME OR TRADEMARK.

16 I UNDERSTAND THAT MY VEHICLE WILL BE REPAIRED USING  
17 NONORIGINAL EQUIPMENT MANUFACTURER CRASH PARTS AS SPECIFIED IN  
18 THE REPAIR ESTIMATE, AND I AUTHORIZE THE REPAIR FACILITY TO  
19 INSTALL THOSE SPECIFIED PARTS.

20 .....  
21 CUSTOMER SIGNATURE DATE

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