The Automotive Service Association (ASA) has compiled a summary of state laws that provide for the disclosure of aftermarket crash parts, which may be used in the repair of collision-damaged motor vehicles.

Aftermarket crash parts are typically defined as “parts not manufactured by the original equipment manufacturer that replace non-mechanical sheet metal parts or plastic parts that constitute part of the exterior of a motor vehicle, including, but not limited to, an inner or outer panel.”

(The information contained in this report was provided by the state attorney general’s office, state agencies charged with regulating the automotive repair and/or insurance industries, state consumer affairs offices, the Congressional Research Service, ASA Affiliate Directors and individual members.)

**ALABAMA**

In Alabama, where non-OEM aftermarket crash parts are used in preparing an estimate for repairs, the written estimate prepared by the insurer and repair facility must clearly identify each such part. A disclosure document attached to the estimate must contain the following information in no smaller than 10-point type:

“THIS ESTIMATE HAS BEEN PREPARED BASED ON THE USE OF AFTERMARKET CRASH PARTS SUPPLIED BY A SOURCE OTHER THAN THE MANUFACTURER OF YOUR MOTOR VEHICLE. THE AFTERMARKET CRASH PARTS USED IN THE PREPARATION OF THIS ESTIMATE ARE WARRANTED BY THE MANUFACTURER OR DISTRIBUTOR OF SUCH PARTS RATHER THAN THE MANUFACTURER OF YOUR VEHICLE.”

**ALASKA**

Alaska requires repair shops to provide every customer, at the time the customer retakes possession of the motor vehicle, with a copy of a dated invoice detailing the costs of all parts and labor involved in the repair, and identifying all parts replacements as being either new, used, rebuilt or reconditioned.

**ARIZONA**

In Arizona, repair facilities must not use a non-OEM aftermarket crash part to repair a vehicle unless the part meets prescribed specifications and the consumer is advised in a written notice attached to or printed on a repair estimate which clearly identifies each part and contains the following information in ten-point or larger type:

“THIS ESTIMATE HAS BEEN PREPARED BASED ON THE USE OF REPLACEMENT 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.”

**ARKANSAS** (update 3/23/98)

In Arkansas, aftermarket crash parts cannot be installed in vehicles that are covered under the manufacturer’s original warranty. In all instances where non-OEM aftermarket crash parts are used in preparing an estimate for repairs, the written estimate prepared by the insurer or repair facility must clearly identify such parts. A disclosure document attached to the estimate must contain the following
“THIS ESTIMATE HAS BEEN PREPARED BASED ON THE USE OF AFTERMARKET CRASH PARTS SUPPLIED BY A SOURCE OTHER THAN THE MANUFACTURER OF YOUR MOTOR VEHICLE. THE AFTERMARKET CRASH PARTS USED IN THE PREPARATION OF THIS ESTIMATE ARE WARRANTED BY THE MANUFACTURER OR DISTRIBUTOR OF SUCH PARTS INSTEAD OF THE MANUFACTURER OF YOUR VEHICLE.”

Additionally, insurance companies that require aftermarket parts in the repair of collision damaged vehicles must notify their consumers with the following notice either in the policy or on an attached sticker:

“IN THE REPAIR OF YOUR COVERED MOTOR VEHICLE UNDER THE PHYSICAL DAMAGE COVERAGE PROVISIONS OF THIS POLICY, WE MAY REQUIRE OR SPECIFY THE USE OF MOTOR VEHICLE PARTS NOT MADE BY THE ORIGINAL MANUFACTURER. THESE PARTS ARE REQUIRED TO BE AT LEAST EQUAL IN TERMS OF FIT, QUALITY, PERFORMANCE, AND WARRANTY TO THE ORIGINAL MANUFACTURER PARTS THEY REPLACE.”

**CALIFORNIA**

California prohibits an insurer from requiring the use of non-OEM aftermarket crash parts, unless the consumer is advised in a written estimate of the use of these parts before repairs are made. Where non-OEM aftermarket crash parts are intended for use by an insurer, the written estimate must clearly identify each such part with the name of its manufacturer or distributor and a disclosure document containing the following information in 10-point type or larger attached to the insured's copy of the estimate:

“This estimate has been prepared based on the use of crash parts supplied by a source other than the manufacturer of your motor vehicle. Any warranties applicable to these replacement parts are provided by the parts manufacturer or distributor rather than by the original manufacturer of your vehicle.”

**COLORADO**

In Colorado, an insurer may not specify the use of non-OEM replacement crash parts in the repair of an insured's motor vehicle without disclosing the intended use of such parts to the insured. The written estimate must clearly identify each such part as being a non-original equipment replacement crash part and a disclosure statement containing the following information in ten-point type or larger must appear on or be attached to the insured's copy of the estimate:

“This estimate has been prepared based on the use of one or more crash parts supplied by a source other than the manufacturer of your motor vehicle. WARRANTIES, IF ANY, APPLICABLE TO THESE REPLACEMENT CRASH PARTS ARE PROVIDED BY THE PARTS MANUFACTURER OR DISTRIBUTOR RATHER THAN BY THE MANUFACTURER OF YOUR VEHICLE.”

**CONNECTICUT**

In Connecticut, whenever repairs are necessary to the visible exterior sheet metal or plastic parts of a damaged private passenger motor vehicle, any insurer or repairer preparing a written estimate must clearly identify each major non-OEM part to be used. A disclosure notice must be attached to the estimate and must contain the following information in no less than ten-point type:

“This repair estimate is based in part on the use of replacement parts which are not made by the original manufacturer of the damaged parts in your motor vehicle.”
The insurer or repairer must give a copy of the estimate to the person requesting it.

**DELAWARE**

No current law.

**FLORIDA**

Florida requires in all instances where non-OEM aftermarket crash parts are used in preparing an estimate for repairs, the written estimate prepared by the insurer or the repair facility, or both, must clearly identify each such part. A disclosure must be attached to, or included in, the estimate and must contain the following information in no smaller than 10-point type:

“THIS ESTIMATE HAS BEEN PREPARED BASED ON THE USE OF CRASH PARTS SUPPLIED BY A SOURCE OTHER THAN THE MANUFACTURER OF YOUR MOTOR VEHICLE. THE AFTERMARKET CRASH PARTS USED IN THE PREPARATION OF THIS ESTIMATE ARE WARRANTED BY THE MANUFACTURER OR DISTRIBUTOR OF SUCH PARTS RATHER THAN THE MANUFACTURER OF YOUR VEHICLE.”

**GEORGIA**

Georgia requires in all instances where non-OEM aftermarket crash parts are used in preparing an estimate for repairs, the written estimate prepared by the insurance adjuster and repair facility clearly identify each such part. A disclosure document attached to the estimate must contain the following information in no smaller than ten-point type:

“THIS ESTIMATE HAS BEEN PREPARED BASED ON THE USE OF AFTERMARKET CRASH PARTS SUPPLIED BY A SOURCE OTHER THAN THE MANUFACTURER OF YOUR MOTOR VEHICLE. THE AFTERMARKET CRASH PARTS USED IN THE PREPARATION OF THIS ESTIMATE ARE WARRANTED BY THE MANUFACTURER OR DISTRIBUTOR OF SUCH PARTS RATHER THAN THE MANUFACTURER OF YOUR VEHICLE.”

Under the Georgia law, all aftermarket crash parts must carry sufficient permanent identification. The price of non-OEM aftermarket parts may be used by insurers to determine repair costs, provided the use of such parts would restore the damaged vehicle to its pre-accident condition relative to quality, safety, function and appearance. No insurer, as part of a claims settlement, may require an insured to authorize the use of non-OEM aftermarket crash parts in the repair of a damaged vehicle.

**HAWAII**

In Hawaii, if non-OEM crash parts are to be supplied or installed, the estimate must clearly state that fact and identify each of those crash parts. In identifying the non-OEM crash parts, the repairer may include information on any applicable manufacturer's warranty and information about the part's compliance with any certified testing program. Non-OEM crash parts may not be used unless the vehicle owner accepts their use and signs the estimate acknowledging the use and source of the crash parts.

**IDAHO**

In Idaho, it is an unfair claim settlement practice for an insurer to specify the use of non-OEM aftermarket crash parts in the repair of an insured's motor vehicle, or for a repair facility to use non-OEM crash parts to repair a vehicle, if the consumer has not been advised in writing. In all instances where non-OEM crash parts are intended for use by an insurer, the written estimate must clearly identify each such part and a disclosure document containing the following information in ten-point or larger type must appear on or be attached to the insured's copy of the estimate:
“THIS ESTIMATE HAS BEEN PREPARED BASED ON 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.”

**ILLINOIS**

Under Illinois law, no insurer can specify the use of non-OEM aftermarket crash parts in the repair of an insured's motor vehicle, nor may any repair facility use non-OEM aftermarket crash parts to repair a vehicle unless the customer is advised in writing. In all instances where an insurer intends that non-OEM aftermarket crash parts be used in the repair of a motor vehicle, the insurer must provide the customer with a written estimate that clearly identifies each non-OEM aftermarket crash part and a disclosure settlement incorporated into or attached to the estimate that reads as follows:

“;This estimate has been prepared based on 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.”

**INDIANA**

Indiana law requires insurers to present the insured with written notice that informs the insured of his right to approve the type of body parts to be used in the repair of a motor vehicle. An insurer must give the insured the opportunity to indicate in writing the type of body part that the insured approves for use in the repair. This law applies only in the five years after the model year of the motor vehicle.

**IOWA**

In Iowa, a repair facility must not use aftermarket crash parts without disclosing the proposed use of such parts in the estimate of repairs given to the customer prior to the repair of the motor vehicle. The estimate must be in writing and must clearly identify each part proposed to be used which is an aftermarket crash part. The following information must appear in ten point type, or larger, on or attached to the estimate:

“THIS ESTIMATE HAS BEEN PREPARED BASED ON THE USE OF AFTERMARKET CRASH PARTS SUPPLIED BY A SOURCE OTHER THAN THE MANUFACTURER OF YOUR MOTOR VEHICLE. ANY WARRANTIES APPLICABLE TO THESE REPLACEMENT PARTS ARE PROVIDED BY THE PARTS MANUFACTURER OR DISTRIBUTOR OF THESE PARTS RATHER THAN THE MANUFACTURER OF YOUR VEHICLE.”

An aftermarket crash part must have affixed or inscribed the logo or name of its manufacturer. A repair facility installing an aftermarket crash part must install the part so that the manufacturer's logo or name is visible upon inspection.

**KANSAS**

In Kansas, no person who prepares an estimate of repair shall specify the use of aftermarket parts without disclosing the intended use of such parts to the owner. Where aftermarket parts are intended for use, the written estimate must clearly identify each such part and a disclosure document containing the following information in 10-point or larger type must appear on or be attached to the owner's copy of the estimate:

“THIS ESTIMATE HAS BEEN PREPARED BASED ON THE USE OF ONE OR MORE AFTERMARKET PARTS SUPPLIED BY A SOURCE OTHER THAN THE MANUFACTURER OF YOUR MOTOR VEHICLE. WARRANTIES APPLICABLE TO THESE PARTS ARE PROVIDED BY THE PARTS MANUFACTURER OR
The installer of the aftermarket parts is responsible for the negligent installation of such parts.

**KENTUCKY**

No current law.

**LOUISIANA**

In Louisiana, no insurer may specify the use of non-OEM aftermarket crash parts in the repair of an insured's motor vehicle, nor shall a repair facility use non-OEM aftermarket parts to repair a vehicle, unless the insured is advised in writing. In all instances where non-OEM aftermarket crash parts are intended for use by an insurer the written estimate must clearly identify each such part and a disclosure document containing the following information in ten point type or larger must appear on or be attached to the insured's copy of the estimate:

“This estimate has been prepared based on 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.”

Aftermarket crash parts must have affixed or inscribed the logo or name of its manufacturer and be visible after installation.

**MAINE**

In Maine, unless the customer specifically agrees before installation of the parts, a repair facility may not install a used, reconditioned or rebuilt part.

**MARYLAND**

In Maryland, if the replacement crash parts to be used by the body shop in the repair are aftermarket crash parts, the body shop shall include with its estimate the following written statement in a clear and conspicuous manner in 10-point capital type:

“This estimate has been prepared based on the use of aftermarket crash parts that are not manufactured by the original manufacturer of the vehicle or by a manufacturer authorized by the original manufacturer to use its name or trademark. The use of certain aftermarket crash parts may modify the original manufacturer’s warranty on the crash parts being replaced. Upon request of the customer, the body shop shall provide, if available, a copy of any warranty for an aftermarket crash part used.”

**MASSACHUSETTS**

In Massachusetts, whenever repairs are necessary to the visible exterior sheet metal or plastic parts of a damaged motor vehicle, any insurer or repairer preparing a written estimate must clearly identify each major non-OEM crash parts to be used. A disclosure notice attached to the estimate must contain the following information in no less than ten-point type:

“The repair estimate is based in part on the use of replacement parts which are not made by the original manufacturer of the damaged parts in your vehicle. Warranties, if any, applicable to these replacement parts are provided by their manufacturer or supplier rather than the manufacturer of your vehicle.”
The insurer or repairer must give a copy of the estimate and notice to the person for whom the estimate is prepared. The repairer must, on the customer's repair order or repair certification form, identify by name the manufacturer or supplier of any non-OEM crash parts used.

**MICHIGAN**

In Michigan, if an insurer requests the use of non-OEM aftermarket crash parts in the repair of an insured's motor vehicle, a repair facility may use non-OEM aftermarket crash parts only if the insured receives a written estimate of repairs that clearly identifies each non-OEM aftermarket crash part and that contains or has attached to it, in not less than 10-point bold type, the following information:

“THIS ESTIMATE HAS BEEN PREPARED BASED ON THE USE OF AFTERMARKET CRASH PARTS SUPPLIED BY A SOURCE OTHER THAN THE MANUFACTURER OF YOUR MOTOR VEHICLE. WARRANTIES THAT APPLY TO THESE REPLACEMENT PARTS ARE PROVIDED BY THE MANUFACTURER, DISTRIBUTOR OR INSURER OF THESE PARTS.”

**MINNESOTA**

In Minnesota, it is an unfair settlement practice for an insurer, adjuster, or a self-insured or self-insurance administrator to require as a condition of payment of a claim that parts, other than window glass, be replaced with parts other than OEM parts. An appraisal must include an itemized listing of those parts to be repaired and those parts to be replaced by new, used, rebuilt reconditioned or replated parts.

**MISSISSIPPI**

In Mississippi, in all instances where non-OEM aftermarket crash parts are used in preparing an estimate for repairs, the written estimate prepared by the insurer and repair facility must clearly identify each such part. A disclosure document attached to the estimate shall contain the following information in no smaller than ten-point type:

“THIS ESTIMATE HAS BEEN PREPARED BASED ON THE USE OF AFTERMARKET CRASH PARTS SUPPLIED BY A SOURCE OTHER THAN THE MANUFACTURER OF YOUR MOTOR VEHICLE. THE AFTERMARKET CRASH PARTS USED IN THE PREPARATION OF THIS ESTIMATE ARE WARRANTED BY THE MANUFACTURER OR DISTRIBUTOR OF SUCH PARTS RATHER THAN THE MANUFACTURER OF YOUR VEHICLE.”

Any non-OEM crash part must have affixed or inscribed the logo, identification number, or name of its manufacturer and be visible after installation.

**MISSOURI**

In Missouri, no insurer may specify, directly or indirectly, the use of non-OEM aftermarket crash parts in the repair of an insured’s motor vehicle without disclosing the intended use of such parts. Where non-OEM aftermarket crash parts are intended for use by an insurer, the written estimate must clearly identify each such part and a disclosure document containing the following information in ten-point or larger type shall appear on or be attached to the insured's copy of the estimate:

“THIS ESTIMATE HAS BEEN PREPARED BASED ON THE USE OF ONE OR MORE CRASH PARTS SUPPLIED BY A SOURCE OTHER THAN THE MANUFACTURER OF YOUR MOTOR VEHICLE. WARRANTIES APPLICABLE TO THESE REPLACEMENT PARTS ARE PROVIDED BY THE PARTS MANUFACTURER OR DISTRIBUTOR RATHER THAN BY THE MANUFACTURER OF YOUR VEHICLE.”

Aftermarket crash parts shall have affixed or inscribed the logo or name of its manufacturer which must be visible after installation.
MONTANA

No current law.

NEBRASKA

No current law.

NEVADA

In Nevada, if an insurer bases an estimate of the cost of repairing a motor vehicle upon the use of a non-OEM crash part, the insurer must disclose that fact on or attached to the estimate for repairs in not less than 10-point type containing the following information:

“THIS ESTIMATE IS BASED ON THE USE OF BODY PARTS FOR YOUR MOTOR VEHICLE WHICH WERE NOT MANUFACTURED FOR OR BY THE ORIGINAL MANUFACTURER OF THE MOTOR VEHICLE. ANY WARRANTIES PROVIDED FOR THESE BODY PARTS ARE PROVIDED BY THE MANUFACTURER OR DISTRIBUTOR OF THESE PARTS, NOT BY THE MANUFACTURER OF YOUR MOTOR VEHICLE. PLEASE CONTACT YOUR INSURER TO DETERMINE YOUR RIGHTS REGARDING THE USE OF SUCH BODY PARTS.”

NEW HAMPSHIRE

In New Hampshire, no insurer can require the use of aftermarket parts in the repair of an automobile unless the aftermarket part is at least equal in like kind and quality to the original part in terms of fit, quality and performance. Insurers specifying the use of aftermarket parts must consider the cost of any modifications which may become necessary when making the repair. The insurer must disclose to the claimant in writing, either on the estimate or on a separate document attached to the estimate, the following information in no smaller than 10 point type:

“THIS ESTIMATE HAS BEEN PREPARED BASED ON THE USE OF AUTOMOBILE PARTS NOT MADE BY THE ORIGINAL MANUFACTURER. PARTS USED IN THE REPAIR OF YOUR VEHICLE BY OTHER THAN THE ORIGINAL MANUFACTURER ARE REQUIRED TO BE AT LEAST EQUAL IN LIKE KIND AND QUALITY IN TERMS OF FIT, QUALITY AND PERFORMANCE TO THE ORIGINAL MANUFACTURER PARTS THEY ARE REPLACING.”

Aftermarket parts must carry sufficient permanent identification so as to identify its manufacturer and must be accessible after installation.

NEW JERSEY

In New Jersey, where the insurer specifies the use of aftermarket parts, the insurer must disclose to the claimant, either on the estimate or on a separate document attached to the estimate, the following information in writing in print no smaller than 10-point type:

“THIS ESTIMATE HAS BEEN PREPARED BASED ON THE USE OF AUTOMOBILE PARTS NOT MADE BY THE ORIGINAL MANUFACTURER. PARTS USED IN THE REPAIR OF YOUR VEHICLE BY OTHER THAN THE ORIGINAL MANUFACTURER ARE REQUIRED TO BE AT LEAST EQUAL IN LIKE KIND AND QUALITY IN TERMS OF FIT, QUALITY AND PERFORMANCE TO REPLACEMENT PARTS AVAILABLE FROM THE ORIGINAL MANUFACTURER.”

The insurer must clearly identify on the estimate all aftermarket parts installed on the vehicle.
NEW MEXICO

No current law.

NEW YORK

In New York, if any body parts are supplied to a vehicle with a gross weight not in excess of eighteen thousand pounds, the repair shop estimate and invoice must clearly state whether the parts were manufactured as original equipment parts, or were manufactured an non-original replacement parts or used parts. One copy of the invoice must be given to the customer and one must be retained by the repair shop.

NORTH CAROLINA

In North Carolina, no insurer may require the use of an aftermarket part in the repair of a motor vehicle unless the aftermarket part is at least equal to the original part in terms of fit, quality, performance and warranty. Insurers specifying the use of aftermarket parts must include in the estimate the costs of any modifications made necessary by the use of aftermarket parts. Every insurer that writes motor vehicle insurance and that intends to require or specify the use of aftermarket parts must disclose to its policyholders in writing, either in the policy or on an attached sticker, the following information in no smaller than 10 point type:

“IN THE REPAIR OF YOUR COVERED AUTO UNDER THE PHYSICAL DAMAGE COVERAGE PROVISIONS OF THIS POLICY, WE MAY REQUIRE OR SPECIFY THE USE OF AUTOMOBILE PARTS NOT MADE BY THE ORIGINAL MANUFACTURER. THESE PARTS ARE REQUIRED TO BE AT LEAST EQUAL IN TERMS OF FIT, QUALITY, PERFORMANCE AND WARRANTY TO THE ORIGINAL MANUFACTURER PARTS THEY REPLACE.”

An insurer must disclose to a claimant in writing, either on the estimate or on a separate document attached to the estimate, the following information in no smaller than 10 point type:

“This estimate has been prepared based on the use of automobile parts not made by the original manufacturer. Parts used in the repair of your vehicle by other than the original manufacturer are required to be at least equal in terms of fit, quality, performance and warranty to the original manufacturer parts they are replacing.”

NORTH DAKOTA

No current law.

OHIO

In Ohio, a person requesting a repair can choose to receive a written estimate for the repair of a motor vehicle which identifies each non-OEM aftermarket crash parts and contains a written notice with the following language in ten-point or larger type:

“This estimate has been prepared based upon the use of one or more aftermarket crash parts supplied by a source other than the manufacturer of your motor vehicle. Warranties applicable to these aftermarket crash parts are provided by the parts manufacturer or distributor rather than by your own motor vehicle manufacturer.”

Receipt and approval of the written estimate is acknowledged by the signature of the person requesting the repair. A person requesting an oral estimate must have been read the disclosure statement. If the person has chosen to receive an oral estimate or no estimate, the written notice must be provided with the final invoice. Non-OEM aftermarket crash parts must have permanently affixed or inscribed the business name or logo of the manufacturer and must be accessible after
OKLAHOMA

In Oklahoma, no insurer may specify the use of non-OEM aftermarket crash parts in the repair of an insured's motor vehicle, nor may a repair facility use non-OEM aftermarket crash parts, unless the consumer is advised in writing. In all instances where non-original equipment manufacturer aftermarket crash parts are intended for use by the insurer, the written estimate shall clearly identify each such part and a disclosure document containing the following information in ten-point type must appear on or be attached to the insured's copy of the estimate:

“THIS ESTIMATE HAS BEEN PREPARED BASED ON 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.”

Any aftermarket crash part must have affixed or inscribed the logo or name of its manufacturer and must be visible after installation.

OREGON

In Oregon, if crash parts to be used in repair work are not supplied by the original equipment manufacturer, the estimate must include a statement that says:

“This estimate has been prepared based on the use of a motor vehicle crash part not made by the original equipment manufacturer. The use of a motor vehicle crash part not made by the original equipment manufacturer may invalidate any remaining warranties of the original equipment manufacturer on that motor vehicle part. The person who prepared this estimate will provide a copy of the part warranty for crash parts not made by the original equipment manufacturer for comparison purposes.”

No repair shop may supply or install, without the owner's consent, any aftermarket crash part unless the part has been certified by an independent test facility to be at least equivalent to the part being replaced.

PENNSYLVANIA

In Pennsylvania, an appraisal statement for the repair of a motor vehicle must contain all items necessary to return the vehicle to its condition prior to the damage in question, including, but not limited to labor involved; necessary painting or refinishing, and all sublet work to be done.

RHODE ISLAND

In Rhode Island, whenever an insurance company intends to specify the use of aftermarket parts, it must notify the insured in writing. Repair facilities must not use non-OEM parts without the owner giving the repairer express written consent. No insurance company may require the use of aftermarket parts when negotiating repairs with any repairer unless the repairer has written consent from the vehicle owner to install aftermarket parts. These provisions apply only to automobiles which are less than 30 months beyond the date of manufacture.

SOUTH CAROLINA

No current law.
SOUTH DAKOTA

In South Dakota, no insurer may specify the use of non-OEM aftermarket crash parts in the repair of an insured's motor vehicle, nor may a repair facility use non-OEM aftermarket parts, unless the consumer is advised in writing. The written estimate must clearly identify each such part and a disclosure document containing the following information in ten point type or larger must appear on or be attached to the insured's copy of the estimate:

“THIS ESTIMATE HAS BEEN PREPARED BASED ON 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.”

TENNESSEE

No current law.

TEXAS

In Texas, insurers may not limit its coverage under a policy covering damage to a motor vehicle by specifying the brand, type, kind, age or condition of parts or products that may be used to repair the vehicle. Any limitations must be clearly and prominently displayed in the policy and the insured must give written consent to such a limitation, following both oral and written notification at the time the policy is purchased.

UTAH

In Utah, unless the insured in given written notice, an insurer may not specify the use of non-OEM aftermarket crash parts in the repair of an insured's motor vehicle. Unless the consumer is given written notice prior to installation, a repair facility may not use non-OEM aftermarket parts to repair a vehicle. In all instances where non-OEM aftermarket crash parts are intended for use by an insurer, the written estimate must clearly identify each non-OEM aftermarket crash and a disclosure document containing the following statement in ten point or larger type must appear on or be attached to the insured's copy of the estimate:

“THIS ESTIMATE HAS BEEN PREPARED BASED ON 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.”

Aftermarket crash parts must have the logo or name of the manufacturer affixed or inscribed on the parts and be visible after installation.

VERMONT

The Vermont Consumer Fraud Act contains general prohibitions against unfair or deceptive acts or practices in commerce. The use of aftermarket crash parts in repairs without disclosure could fall within such a prohibition.

VIRGINIA

In Virginia, no insurer may prepare or use an estimate of the cost of automobile repairs based on the use of an aftermarket part unless the insurer discloses to the claimant in writing on the estimate or in a separate attached document the following information:
“THIS ESTIMATE HAS BEEN PREPARED BASED ON THE USE OF AUTOMOBILE PARTS NOT MADE BY THE ORIGINAL MANUFACTURER. PARTS USED IN THE REPAIR OF YOUR VEHICLE BY OTHER THAN THE ORIGINAL MANUFACTURER ARE REQUIRED TO BE AT LEAST EQUAL IN LIKE KIND AND QUALITY IN TERMS OF FIT, QUALITY AND PERFORMANCE TO THE ORIGINAL MANUFACTURER PARTS THEY ARE REPLACING.”

WASHINGTON

In Washington, whether or not a written estimate is required, an invoice must indicate whether the parts supplied are rebuilt, used or are aftermarket body parts or non-OEM body parts.

WEST VIRGINIA

In West Virginia, for motor vehicles requiring repair work in the year of their manufacture or in the two succeeding years, repair shops must use genuine crash parts sufficient to maintain the manufacturer's warranty for fit, finish, structural integrity, corrosion resistance, dent resistance and crash performance unless the vehicle owner consents in writing to the use of aftermarket crash parts. No insurer may require the use of aftermarket crash parts for a period of the same three years, unless the vehicle consents in writing. Repair shops must provide a list to the vehicle owner of the replacement crash parts that the body shop intends to use; specify whether the parts are genuine crash parts; and identify the manufacturer of the parts if they are aftermarket crash parts. If the crash parts to be used in the repair are aftermarket crash parts, the repair shop must include with its estimate the following written statement on a separate piece of paper in ten-point capital type:

“This estimate has been prepared based on the use of aftermarket crash parts that are not manufactured by the original manufacturer of the vehicle or by a manufacturer authorized by the original manufacturer to use its name or trademark. The use of an aftermarket crash part may invalidate any remaining warranties of the original manufacturer on that crash part.”

WISCONSIN

In Wisconsin, an insurer may not require the use of a non-OEM replacement part in the repair of an insured's motor vehicle, unless the insurer provides to the insured a notice containing the following statement in not smaller than 10-point type:

“This estimate has been prepared based on the use of one or more replacement 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 the replacement parts rather than by the manufacturer of your motor vehicle.”

The notice must also clearly identify each non-OEM replacement part that is intended for use. The notice must appear on or be attached to the estimate of the cost of repairing the insured's vehicle and be delivered to the insured before the vehicle is repaired.

WYOMING

No current law.