

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 relating to automotive repairs.

Highlighted Provisions:

This bill:

- defines "OEM aftermarket crash part";
- enacts notice requirements relating to aftermarket crash parts at the time of issuance and renewal;
- amends notice requirements relating to the written estimate when an insurer authorizes or specifies the use of a non-OEM aftermarket part;
- 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

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

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

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

31A-22-317 . Definitions.

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

- 29 (1) "Aftermarket crash part" means a replacement for any of the nonmechanical sheet metal
 30 or plastic parts that generally constitute the exterior of a motor vehicle, including inner
 31 and outer panels.
- 32 (2) "Installer" means an individual who replaces or repairs the parts of a motor vehicle.
- 33 (3) "Insurer" means an insurance company and any person authorized to represent the
 34 insurer with respect to a claim.
- 35 (4) "Nonoriginal equipment manufacturer" or "non-OEM" means a manufacturer of
 36 replacement parts for a different manufacturer's equipment.
- 37 (5) "Non-OEM aftermarket crash part" means an aftermarket crash part not made for or by
 38 the manufacturer of the motor vehicle.
- 39 (6) "OEM aftermarket crash part" means an aftermarket crash part made for or by the
 40 manufacturer of the motor vehicle.
- 41 ~~[(6)]~~ (7) "Repair facility" means any motor vehicle dealer, garage, body shop, or other
 42 commercial entity that repairs or replaces those parts that generally constitute the
 43 exterior of a motor vehicle.

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

45 **31A-22-319 . Prohibition on insurer requiring certain parts -- Disclosure.**

- 46 (1) Unless ~~[the insured is given]~~ an insurer gives an insured notice in writing an insurer may
 47 not specify the use of non-OEM aftermarket crash parts in the repair of an insured's
 48 motor vehicle.~~[-The notice required by Subsection (1) shall identify non-OEM parts as~~
 49 ~~not made for or by the vehicle manufacturer.]~~
- 50 ~~[(2) Unless the consumer is given notice in writing prior to installation, a repair facility or~~
 51 ~~installer may not use non-OEM aftermarket parts to repair a vehicle.]~~
- 52 (2)(a) For a policy issued on or after October 1, 2026, the insurer shall provide to the
 53 insured, at the time of issuance and renewal, a written notice stating that the insurer
 54 may authorize or specify the use of aftermarket crash parts in the event of a covered
 55 loss.
- 56 (b) An insurer may provide the notice described in Subsection (2)(a) electronically in
 57 accordance with applicable law.
- 58 (c) The notice described in Subsection (2)(a):
- 59 (i) is informational only and does not create, expand, or alter coverage or obligations
 60 under the policy; and
- 61 (ii) shall include the following disclosure in at least 10-point font: "In the event of a
 62 covered loss, the insurer may authorize or specify the use of aftermarket crash

63 parts supplied by a source other than the manufacturer of your vehicle. Parts used
 64 in the repair of your vehicle by a manufacturer other than the original
 65 manufacturer are required to be at least ~~Œ~~ **[equal] equivalent** ~~←Œ~~ in kind
 65a and quality in terms of fit,
 66 quality, and performance to the original parts they are replacing."

67 (3) ~~[In all instances where non-OEM aftermarket crash parts are intended for use by an~~
 68 ~~insurer:]~~ When an insurer authorizes or specifies the use of a non-OEM aftermarket crash
 69 part,

70 ~~[(a)]~~ the written estimate shall:

71 (a) [-]clearly identify each non-OEM aftermarket crash part; and

72 (b) ~~[a disclosure document containing the -] contain the following [statements] disclosure~~
 73 in ~~[10-point or larger type shall appear on or be -] at least 10-point font, that appears on~~
 74 or is attached to the insured's copy of the estimate: "This estimate has been prepared
 75 based on the authorization of your insurer and the use of aftermarket crash parts [
 76 ~~supplied by a source other than the] not made by the original~~ manufacturer of your
 77 motor vehicle. Parts used in the repair of your vehicle that are made by a
 78 manufacturer other than the original manufacturer are required to be at least
 79 equivalent in kind and quality in terms of fit, quality, and performance. Warranties
 80 applicable to these replacement parts are provided by the manufacturer or distributor
 81 of these parts rather than the manufacturer of your vehicle."

82 (4) Nothing in this section:

83 (a) ~~creates an express or implied warranty by the insurer beyond the terms of the policy~~
 84 of insurance;

85 (b) ~~requires an insurer to provide coverage for OEM aftermarket crash parts unless the~~
 86 coverage is expressly provided in the policy; or

87 (c) ~~prohibits the voluntary use of OEM aftermarket crash parts.~~

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

90 **Section 3. Effective Date.**

91 This bill takes effect on May 6, 2026.