

House of Representatives, March 31, 1998. The Committee on Transportation reported through REP. COCCO, 127th DIST., Chairman of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING REPLACEMENT PARTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 38a-355 of the general statutes is
2 repealed and the following is substituted in lieu
3 thereof:

4 (a) (1) Whenever repairs are necessary to the
5 visible exterior sheet metal or plastic parts of a
6 damaged private passenger motor vehicle, as
7 defined in section 38a-363, any insurer or
8 repairer, as defined in section 14-51, preparing a
9 written estimate of the cost of such repairs shall
10 [clearly identify in such estimate] INFORM A
11 PERSON REQUESTING THE ESTIMATE THAT SUCH PERSON
12 MAY REQUIRE each major replacement part [to be
13 used which is not] THAT IS USED, TO BE
14 manufactured by the original manufacturer of the
15 damaged part in such motor vehicle OR MAY CONSENT
16 TO THE USE OF A REPLACEMENT PART WHICH HAS NOT
17 BEEN MANUFACTURED BY THE ORIGINAL MANUFACTURER OF
18 SAID PART. For the purposes of this section,
19 "parts" means motor vehicle replacement parts of
20 sheet metal or plastic, which constitute the
21 visible exterior of the vehicle, including inner
22 and outer panels, and which are generally repaired
23 or replaced as the result of a collision.

24 [(2) Attached to any such estimate shall be
25 the following notice, printed in no less than
26 ten-point type:

27

NOTICE

28 This repair estimate is based in part on the use
29 of replacement parts which are not made by the
30 original manufacturer of the damaged parts in your
31 motor vehicle.

32 (3)] (2) The insurer or repairer, as the case
33 may be, shall give a copy of such estimate and
34 notice to the person requesting such estimate.

35 (b) Any violation of the provisions of this
36 section by an insurer shall be deemed an unfair or
37 deceptive insurance practice under section
38 38a-816, AS AMENDED. Any violation of the
39 provisions of this section by a repairer shall be
40 deemed an unfair or deceptive trade practice under
41 subsection (a) of section 42-110b.

42 TRA COMMITTEE VOTE: YEA 23 NAY 0 JFS

replacement part not made by the original manufacturer, generally known as an "aftermarket" part.

This replaces the current requirement that the repair estimate contain a notice in at least 10-point type stating that it is based in part on the use of replacement parts not made by the original manufacturer. Parts subject to these requirements are the sheet metal or plastic parts that make up the vehicle's visible exterior, including inner panels, and which are generally repaired or replaced after a collision.

EFFECTIVE DATE: October 1, 1998

BACKGROUND

Private Passenger Motor Vehicles

Under the motor vehicle insurance laws, these vehicles are considered to be private passenger motor vehicles: (1) private passenger automobiles; (2) station wagons; (3) camper-type motor vehicles; (4) vehicles classified and registered as high mileage motor vehicles under state law; (5) truck-type motor vehicles with load capacities of 1,500 pounds or less registered with passenger or combination plates or used for farming purposes; and (6) vehicles with commercial registrations (i.e., the registration required for any vehicle designed or used to transport merchandise, freight, or people in connection with any business enterprise, unless a more specific type of registration is issued for the vehicle).

COMMITTEE ACTION

Transportation Committee

Joint Favorable Substitute
Yea 23 Nay 0