



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB4719

Introduced 1/27/2022, by Rep. Elizabeth Hernandez

SYNOPSIS AS INTRODUCED:

215 ILCS 5/155.29

from Ch. 73, par. 767.29

Amends the Illinois Insurance Code. In provisions concerning motor vehicle aftermarket crash parts, provides that the purpose of the provisions is also to regulate the use of original equipment manufacturer repair specifications of aftermarket crash parts and automobile glass. Provides that for aftermarket crash parts and automobile glass repair or replacement, no insurer shall require the use of repair specifications that do not meet or exceed original equipment manufacturer repair specifications for those parts in the repair of an insured's motor vehicle, and no insurer shall require advanced driver assistance system calibration that does not meet or exceed original equipment manufacturer specifications for those parts. Provides that the language does not require the use of original equipment manufacturer repair parts if the repair parts used are identified and disclosed. Provides that the language does not require the use of original equipment manufacturer repair specifications that unreasonably restrict access to a repair facility.

LRB102 24541 BMS 33775 b

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Insurance Code is amended by
5 changing Section 155.29 as follows:

6 (215 ILCS 5/155.29) (from Ch. 73, par. 767.29)

7 Sec. 155.29. (a) Purpose. The purpose of this Section is
8 to regulate the use of aftermarket crash parts by requiring
9 disclosure when any use of an aftermarket non-original
10 equipment manufacturer's crash part is proposed and by
11 requiring that the manufacturers of such aftermarket crash
12 parts be identified. The purpose of this Section also is to
13 regulate the use of original equipment manufacturer repair
14 specifications of aftermarket crash parts and automobile
15 glass.

16 (b) Definitions. As used in this Section the following
17 terms have the following meanings:

18 "Aftermarket crash part" means a replacement for any of
19 the nonmechanical sheet metal or plastic parts that generally
20 constitute the exterior of a motor vehicle, including inner
21 and outer panels.

22 "Non-original equipment manufacturer (Non-OEM)
23 aftermarket crash part" means an aftermarket crash part not

1 made for or by the manufacturer of the motor vehicle.

2 "Repair facility" means any motor vehicle dealer, garage,
3 body shop, or other commercial entity that undertakes the
4 repair or replacement of those parts that generally constitute
5 the exterior of a motor vehicle.

6 "Installer" means an individual who actually does the work
7 of replacing or repairing parts of a motor vehicle.

8 (c) Identification. Any aftermarket crash part supplied by
9 a non-original equipment manufacturer for use in this State
10 after the effective date of this Act shall have affixed
11 thereto or inscribed thereon the logo or name of its
12 manufacturer. The manufacturer's logo or name shall be visible
13 after installation whenever practicable.

14 (d) Disclosure. No insurer shall specify the use of
15 non-OEM aftermarket crash parts in the repair of an insured's
16 motor vehicle, nor shall any repair facility or installer use
17 non-OEM aftermarket crash parts to repair a vehicle unless the
18 customer is advised of that fact in writing. In all instances
19 where an insurer intends that non-OEM aftermarket crash parts
20 be used in the repair of a motor vehicle, the insurer shall
21 provide the customer with the following information:

22 (1) a written estimate that clearly identifies each
23 non-OEM aftermarket crash part; and

24 (2) a disclosure settlement incorporated into or
25 attached to the estimate that reads as follows: "This
26 estimate has been prepared based on the use of crash parts

1 supplied by a source other than the manufacturer of your
2 motor vehicle. Warranties applicable to these replacement
3 parts are provided by the manufacturer or distributor of
4 these parts rather than the manufacturer of your vehicle."

5 (e) Aftermarket crash part repair specifications. For
6 aftermarket crash parts subject to this Section, no insurer
7 shall require the use of repair specifications that do not
8 meet or exceed original equipment manufacturer repair
9 specifications for those parts in the repair of an insured's
10 motor vehicle, and no insurer shall require advanced driver
11 assistance system calibration that does not meet or exceed
12 original equipment manufacturer specifications for those
13 parts. However, this subsection does not require the use of
14 original equipment manufacturer repair parts if the repair
15 parts used are identified and disclosed pursuant to this
16 Section and does not require the use of original equipment
17 manufacturer repair specifications that unreasonably restrict
18 access to a repair facility subject to this Section.

19 (f) Glass repair and replacement specifications. For
20 automobile glass repair or replacement, no insurer shall
21 require the use of repair specifications that do not meet or
22 exceed original equipment manufacturer repair specifications
23 for such automobile glass in the repair of an insured's motor
24 vehicle, and no insurer shall require advanced driver
25 assistance system calibration that does not meet or exceed
26 original equipment manufacturer specifications for such

1 automobile glass. However, this subsection does not require
2 the use of original equipment manufacturer repair
3 specifications that unreasonably restrict access to a repair
4 facility subject to this Section.

5 (Source: P.A. 86-1234; 86-1475.)