



**House
Legislative
Analysis
Section**

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AFTER-MARKET CRASH PARTS

House Bill 4723

Sponsor: Rep. Roland G. Niederstadt

Committee: Transportation

Complete to 4-19-91

A SUMMARY OF HOUSE BILL 4723 AS INTRODUCED 4-17-91

The bill would create the aftermarket crash parts act to allow a motor vehicle repair facility or installer to use nonoriginal equipment manufacturer (non-OEM) "aftermarket crash parts" (that is, replacement parts used for a nonmechanical sheet metal part or plastic part on what is generally considered a vehicle's exterior, including inner or outer panels) for vehicle repairs if the vehicle's insurer so requested. The bill would not apply to vehicles "not designed primarily for highway transportation, but which may incidentally transport persons or property" on public roadways (i.e. buses, tractors, motorcycles, and the like). Under the bill, non-OEM aftermarket crash parts could only be used if the insured vehicle owner received a written estimate of repairs that clearly identified each non-OEM aftermarket crash part and that contained or had attached to it in at least ten-point bold type the following statement:

"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 that apply to these replacement parts are provided by the manufacturer, distributor, or insurer of these parts."

The bill's provisions could be enforced through a civil action for damages in a court of appropriate jurisdiction. The bill would take effect April 1, 1991.