

Act No. 158
Public Acts of 1991
Approved by the Governor
December 5, 1991
Filed with the Secretary of State
December 5, 1991

STATE OF MICHIGAN
86TH LEGISLATURE
REGULAR SESSION OF 1991

Introduced by Reps. Niederstadt, Dobronski, Hertel, Weeks, Bartnik, Wallace, Olshove, Yokich, Profit and Baade

ENROLLED HOUSE BILL No. 4723

AN ACT to provide for certain disclosures with respect to the use of aftermarket crash parts in the repair of motor vehicles; and to prescribe the powers and duties of repair facilities and installers with respect to the use of aftermarket crash parts.

The People of the State of Michigan enact:

Sec. 1. This act shall be known and may be cited as the "aftermarket crash parts act".

Sec. 2. As used in this act:

(a) "Aftermarket crash part" means a replacement part for a nonmechanical sheet metal part or plastic part that constitutes part of the exterior of a motor vehicle, including, but not limited to, an inner or outer panel.

(b) "Installer" means an individual who replaces or repairs parts of a motor vehicle.

(c) "Insurer" means an insurance company authorized to transact property, fire, or casualty insurance in this state and an agent of the insurer and includes an insurance association, pool, or facility created under the insurance code of 1956, Act No. 218 of the Public Acts of 1956, being sections 500.100 to 500.8302 of the Michigan Compiled Laws.

(d) "Motor vehicle" means a self-propelled device by which a person or property may be transported upon a public highway. Motor vehicle does not include a tractor, motorcycle, moped, trailer, semitrailer, bus, power shovel, road machinery, agricultural machinery, or other machinery or vehicle not designed primarily for highway transportation, but which may incidentally transport persons or property on a public highway. Motor vehicle also does not include a device that moves upon or is guided by a track.

(e) "Nonoriginal equipment manufacturer aftermarket crash part" or "non-OEM aftermarket crash part" means an aftermarket crash part not made by or for the manufacturer of a motor vehicle.

(f) "Repair facility" means any motor vehicle dealer, garage, body repair shop, or other commercial entity that undertakes the repair or replacement of parts that generally constitute the exterior of a motor vehicle.

(94)

~~Notwithstanding any other provision of law or charter to the contrary, an appointment to an elective or appointive village office made by a quorum constituted by temporary appointments under this subsection shall expire upon the election and qualification of trustees under the special election called to fill the vacancies in the office of trustee.~~

Sec. 3. If an insurer requests the use of non-OEM aftermarket crash parts in the repair of an insured's motor vehicle, a repair facility or installer may use non-OEM aftermarket crash parts to repair a vehicle only if the

This act is ordered to take immediate effect.

Clerk of the House of Representatives.

Secretary of the Senate.

Approved

Governor.