

**ASSEMBLY BILL**

**No. 2505**

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**Introduced by Assembly Member Ma**

February 24, 2012

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An act to amend Section 9875 of the Business and Professions Code, relating to motor vehicle replacement parts.

LEGISLATIVE COUNSEL'S DIGEST

AB 2505, as introduced, Ma. Motor vehicle replacement parts.

Existing law regulates the use of motor vehicle replacement parts, and prohibits an insurer from requiring the use of nonoriginal equipment manufacturer aftermarket crash parts, as defined, in the repair of an insured's motor vehicle, unless the consumer is advised in a disclosure document of the use of the part. A violation of those provisions subjects an insurer to specified enforcement actions by the Insurance Commissioner.

This bill would define the term "certified aftermarket crash part" for the purposes of these provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 9875 of the Business and Professions
- 2 Code is amended to read:
- 3 9875. As used in this chapter, the following definitions shall
- 4 apply:
- 5 (a) "Insurer" includes an insurance company and any person
- 6 authorized to represent the insurer with respect to a claim.

1 (b) "Aftermarket crash part" means a replacement for any of  
2 the nonmechanical sheet metal or plastic parts which generally  
3 constitute the exterior of a motor vehicle, including inner and outer  
4 panels.

5 (c) "Nonoriginal equipment manufacturer (Non-OEM)  
6 aftermarket crash part" means aftermarket crash parts not made  
7 for or by the manufacturer of the motor vehicle.

8 (d) "*Certified aftermarket crash part*" means a replacement  
9 crash part that meets both of the following requirements:

10 (1) *The part has been certified by an American National*  
11 *Standards Institute (ANSI) accredited standards developer that*  
12 *develops and maintains quality standards for competitive crash*  
13 *repair parts.*

14 (2) *The part is identified by a unique serial number affixed to*  
15 *it that enables its full traceability through the ANSI certifying*  
16 *entity.*