WEST virginia legislature

2021 regular session

Introduced

Senate Bill 413

By Senator Smith

[Introduced February 23, 2021; referred
to the Committee on Transportation and Infrastructure]

A BILL to amend and reenact §46A-6B-3 of the Code of West Virginia, 1931, as amended, relating to the use of aftermarket crash parts by a motor vehicle repair shop; and requiring new original equipment parts be used in order to maintain the manufacturer’s warranty.

Be it enacted by the Legislature of West Virginia:

ARTICLE 6B. CONSUMER PROTECTION--AUTOMOTIVE CRASH PARTS.

§46A-6B-3. Genuine and aftermarket crash parts.

For all motor vehicles requiring repair by motor vehicle body shops in the year of their manufacture or in the two succeeding years thereafter, and those needed repairs will be paid in, whole or in part, by an insurance company, motor vehicle body shops must use genuine ~~crash~~ new original equipment parts sufficient to maintain the manufacturer’s new vehicle warranty for fit, finish, structural integrity, corrosion resistance, dent resistance, and crash performance. ~~unless the motor vehicle owner consents in writing at the time of the repair to the use of aftermarket crash parts No~~ An insurance company may not require the use of aftermarket crash parts when negotiating repairs of the motor vehicle with any repairer for a period of ~~three years, the year the motor vehicle was manufactured and the two succeeding years thereafter unless the motor vehicle owner consents in writing at the time of the repair to the use of aftermarket crash parts~~ the current model year plus two years.

NOTE: The purpose of this bill is to require new original equipment parts be used in order to maintain the manufacturer’s warranty.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.