

**HOUSE . . . . . No. 3207**

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Nine**  
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An Act providing additional consumer protections in the repair of damaged motor vehicles. ..

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1. Chapter 90 of the General Laws, as appearing in the 2006 Official Edition,  
2 is hereby amended by striking out section 34R and inserting in place thereof the following  
3 section:—

4                       Section 34R. (a) Whenever repairs are necessary to the visible exterior sheet  
5 metal or plastic parts of a damaged motor vehicle, any insurer or repairer preparing a written  
6 estimate of the cost of such repairs shall clearly identify in such estimate each major generic  
7 crash part to be used which is not manufactured or supplied by the original manufacturer of the  
8 motor vehicle.

9           For the purposes of this section, "crash parts" shall mean motor vehicle parts of sheet  
10 metal or plastic that constitutes the visible exterior of the vehicle, including inner and outer  
11 panels, which are to be repaired or replaced as the result of a collision.

12           For the purposes of this section, "generic crash parts" shall mean motor vehicle parts of  
13 sheet metal or plastic that constitutes the visible exterior of the vehicle, including inner and outer

14 panels, which are to be repaired or replaced as the result of a collision and which are not  
15 manufactured by the original manufacturer of the motor vehicle.

16 (b) A notification shall be attached to, or included in, the estimate and shall contain the  
17 following information in no smaller than ten point type:

18 That of crash parts supplied by the manufacturer of your vehicle or on generic  
19 crash parts supplied by an independent manufacturer. All generic crash parts used in preparation  
20 of this estimate are warranted by your insurer and the manufacturer and/or distributor of such  
21 parts.

22 (c) The insurer or repairer, as the case may be, shall give a copy of such estimate and  
23 such notice to the person for whom the estimate is prepared.

24 (d) The repairer shall, on the customer's repair order or repair certification form, identify  
25 by name the manufacturer or supplier of any non-original manufacturer crash parts used in  
26 making the actual repairs.

27 (e) All crash parts, both original equipment manufacturer parts and generic crash parts,  
28 manufactured after January 1, 2004 shall carry sufficient permanent identification so as to  
29 identify its manufacturer. Such identification shall be accessible to the extent possible after  
30 installation.