

WEST VIRGINIA LEGISLATURE

2018 REGULAR SESSION

Introduced

Senate Bill 308

BY SENATORS SMITH, JEFFRIES, SYPOLT, AND CLINE

[Introduced January 17, 2018; Referred
to the Committee on the Judiciary]

1 A BILL to amend and reenact §46A-6B-3 of the Code of West Virginia, 1931, as amended, relating
 2 to the use of aftermarket crash parts by a motor vehicle repair shop; and requiring new
 3 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.

1 For all motor vehicles requiring repair by motor vehicle body shops in the year of their
 2 manufacture or in the two succeeding years thereafter, and those needed repairs will be paid in
 3 whole or in part by an insurance company, motor vehicle body shops must use genuine ~~crash~~
 4 new original equipment parts sufficient to maintain the manufacturer's new vehicle warranty for
 5 fit, finish, structural integrity, corrosion resistance, dent resistance, and crash performance. ~~unless~~
 6 ~~the motor vehicle owner consents in writing at the time of the repair to the use of aftermarket~~
 7 ~~crash parts~~ No insurance company may require the use of aftermarket crash parts when
 8 negotiating repairs of the motor vehicle with any repairer for a period of ~~three years, the year the~~
 9 ~~motor vehicle was manufactured and the two succeeding years thereafter unless the motor~~
 10 ~~vehicle owner consents in writing at the time of the repair to the use of aftermarket crash parts~~
 11 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.