



Rep. Elizabeth Hernandez

**Filed: 4/20/2021**

10200HB3133ham002

LRB102 13095 BMS 25463 a

1 AMENDMENT TO HOUSE BILL 3133

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3133 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Insurance Code is amended by  
5 changing Section 155.29 as follows:

6 (215 ILCS 5/155.29) (from Ch. 73, par. 767.29)

7 Sec. 155.29. (a) Purpose. The purpose of this Section is  
8 to regulate the use of aftermarket crash parts by requiring  
9 disclosure when any use of an aftermarket non-original  
10 equipment manufacturer's crash part is proposed and by  
11 requiring that the manufacturers of such aftermarket crash  
12 parts be identified.

13 (b) Definitions. As used in this Section the following  
14 terms have the following meanings:

15 "Aftermarket crash part" means a replacement for any of  
16 the nonmechanical sheet metal or plastic parts that generally

1 constitute the exterior of a motor vehicle, including inner  
2 and outer panels.

3 "Non-original equipment manufacturer (Non-OEM)  
4 aftermarket crash part" means an aftermarket crash part not  
5 made for or by the manufacturer of the motor vehicle.

6 "Repair facility" means any motor vehicle dealer, garage,  
7 body shop, or other commercial entity that undertakes the  
8 repair or replacement of those parts that generally constitute  
9 the exterior of a motor vehicle.

10 "Installer" means an individual who actually does the work  
11 of replacing or repairing parts of a motor vehicle.

12 (c) Identification. Any aftermarket crash part supplied by  
13 a non-original equipment manufacturer for use in this State  
14 after the effective date of this Act shall have affixed  
15 thereto or inscribed thereon the logo or name of its  
16 manufacturer. The manufacturer's logo or name shall be visible  
17 after installation whenever practicable.

18 (d) Disclosure. No insurer shall specify the use of  
19 non-OEM aftermarket crash parts in the repair of an insured's  
20 motor vehicle, nor shall any repair facility or installer use  
21 non-OEM aftermarket crash parts to repair a vehicle unless the  
22 customer is advised of that fact in writing. In all instances  
23 where an insurer intends that non-OEM aftermarket crash parts  
24 be used in the repair of a motor vehicle, the insurer shall  
25 provide the customer with the following information:

26 (1) a written estimate that clearly identifies each

1 non-OEM aftermarket crash part; and

2 (2) a disclosure settlement incorporated into or  
3 attached to the estimate that reads as follows: "This  
4 estimate has been prepared based on the use of crash parts  
5 supplied by a source other than the manufacturer of your  
6 motor vehicle. Warranties applicable to these replacement  
7 parts are provided by the manufacturer or distributor of  
8 these parts rather than the manufacturer of your vehicle."

9 (e) Procedures. No insurer shall specify the use of repair  
10 procedures that are not in compliance with original equipment  
11 manufacturer directives for those parts in the repair of an  
12 insured's motor vehicle, and no insurer shall specify the use  
13 of advanced driver assistance system calibration tools that  
14 are not approved by the original equipment manufacturer for  
15 such parts and repairs. However, this subsection does not  
16 require the use of original equipment manufacturer repair  
17 parts if the repair parts used are at least equal in like kind  
18 and quality and are disclosed pursuant to this Section of the  
19 Illinois Insurance Code.

20 (Source: P.A. 86-1234; 86-1475.)".