



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fifth Legislature
Second Regular Session

Senate: COM DP 8-0-1-0 | 3rd Read 26-0-4-0
House: TRANS DP 10-0-0-2

SB 1410: auto glass; repair; penalties

Sponsor: Senator Mesnard, LD 17

Caucus & COW

Overview

Describes requirements for an auto glass repair or replacement facility (facility) that conducts glass replacement, repair or recalibration on a vehicle equipped with an advanced driver assistance system.

History

Statute outlines that it is an unlawful practice for a person who repairs or sells auto glass to knowingly:

- 1) Submit a false claim to an insurer for auto glass replacement or repair or related services:
 - i. Showing work performed in a geographical area that was not the location where the services were provided and that results in a higher payment than would otherwise be paid to the person by the policyholder's insurer;
 - ii. If the services were not provided;
 - iii. Not authorized in writing by the vehicle owner or lessee; and
 - iv. Showing work performed on a date other than the date the work was performed and resulting in a change of insurance coverage status;
- 2) Advise a policyholder to falsify the date of damage to the auto glass that would result in a change of coverage for repair or replacement of the auto glass;
- 3) Falsely sign on behalf of a policyholder or other person a work order, insurance assignment form or another related form to submit a claim to an insurer for auto glass repair or replacement or related services;
- 4) Misrepresent to the policyholder or other person specified aspects relating to the price of the proposed replacement or repair or the status of the insurer's approval of the replacement or repair;
- 5) Add to the auto glass damage or encourage the policyholder or other person to add to the auto glass damage before repair to increase the scope of repair or replacement; and
- 6) Perform work clearly beyond the level of work necessary to repair or replace the auto glass of a vehicle to put it back into a safe pre-damaged condition following approved and accepted techniques ([A.R.S. § 20-463.01](#)).

A person who sells or repairs auto glass is prohibited from intentionally misrepresenting the relationship of the glass repair facility to the policyholder's insurance. Any person who commits fraud relating to auto glass repair with the intent to defraud, injure, or deceive an insurer is guilty of a class 6 felony ([A.R.S. §§ 20-463.01, 20-466.01](#)).

Provisions

1. Specifies that if a vehicle is equipped with an advanced driver assistance system, a facility that conducts related services must inform the customer:

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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- a) If a recalibration of that system is required; and
 - b) If a recalibration of that system is performed that it must meet or exceed the vehicle manufacturer's specifications. (Sec. 1)
2. Directs a facility to provide the customer with an itemized description of the work to be done on the vehicle. (Sec. 1)
3. Restricts a facility from representing to a customer that the cost of the repair, replacement or recalibration will be paid entirely by the customer's insurer at no cost to the customer unless the cost of the repair, replacement or recalibration is fully covered by the customer's insurance policy. (Sec. 1)
4. Specifies that if a recalibration was not performed or completed successfully the facility must inform the customer and the customer's insurer electronically or in writing that the recalibration was not done or successful and that the vehicle should be taken to a vehicle manufacturer's certified dealership or a qualified facility capable of performing the recalibration of the specified system that meets or exceeds the vehicle manufacturer's specifications. (Sec. 1)
5. States a facility that conducts a recalibration for vehicle glass repair or replacement on a vehicle equipped with an advanced driver assistance system:
 - a) Is not limited to vehicle glass, equipment, tooling or repair procedures dictated or recommended by the vehicle manufacturer's specifications; and
 - b) Must recalibrate the advanced driver assistance system to meet or exceed the vehicle manufacturer's specifications. (Sec. 1)
6. Restricts a facility from billing or charging a customer or the customer's insurance for vehicle glass repair, replacement or recalibration services that are not performed under the vehicle's manufacturer specifications. (Sec. 1)
7. Declares that someone who violates these provisions is subject to a civil penalty of \$2,500 and is subject to enforcement. (Sec. 1)
8. Defines terms. (Sec. 1)