

## State Non-OEM Crash Parts Consumer Disclosure and Consent Laws & Regulations

State	Disclosure - Ins. Policy	Disclosure - Estimate	Consent	Consent w/ Limits	Estimate Sign-off	Like Kind & Quality	Airbag Law	Notes
AL		X					X	Fraudulent repair and sale of airbags prohibited. 3/14 - Revised airbag law prohibits counterfeit and nonfunctional airbags; effective 6/14.
AK								
AZ		X						
AR	X	X		X				Consent requirement covers vehicle's original manufacturer warranty. Insurers intending to use non-OE parts must disclose that in their policy or an attached sticker.
CA	X	X				X	X	No specific estimate sign-off required, but customer must authorize any repairs based on estimate and approve any additional work or parts not on original estimate. Insurer must provide copy of "Auto Body Repair Consumer Bill of Rights"---which discloses non-OE parts must be on estimate---at time of policy application or accident report. Installing a previously deployed airbag and failing to restore an airbag to it original operating condition are prohibited. 1/17 - Revised airbag law prohibits counterfeit SRS components and nonfunctional airbags.
CO		X	X				X	Installing/reinstalling any object in lieu of an airbag is prohibited.
CT		X					X	Installing/reinstalling a counterfeit or nonfunctional airbag, including any object in lieu of an airbag, is prohibited.
DE							X	Installing/reinstalling a nonoperative airbag or object in lieu of an operative airbag is prohibited.
DC								
FL		X				X	X	7/14 - Revised airbag law prohibits counterfeit and nonfunctional airbags.
GA		X					X	Installing/reinstalling a counterfeit or nonfunctional airbag, including any object in lieu of an airbag, is prohibited.
HI		X	X		X	X		Non-OE parts must be identified on the estimate but no disclosure statement required. Consumer pays cost difference for OE unless required by vehicle warranty.
ID		X						
IL		X				X	X	Installing/reinstalling any object in lieu of an airbag is prohibited.
IN				X			X	Customers must receive written notice that they have right to approve type of parts to be used; approval applies for five years. No actual disclosure of non-OE required. 3/20 - Revised airbag law prohibits counterfeit SRS components and nonfunctional airbags; effective 7/1/20.

## State Non-OEM Crash Parts Consumer Disclosure and Consent Laws & Regulations

State	Disclosure - Ins. Policy	Disclosure - Estimate	Consent	Consent w/ Limits	Estimate Sign-off	Like Kind & Quality	Airbag Law	Notes
IA	X	X				X	X	Insurer can't require non-OE parts unless they're certified by a national entity to be like kind & quality to OE. Insurers that pay benefits based on non-OE or require insured to pay the difference must include written notice in policy. 4/15 - New law prohibits counterfeit and nonfunctional airbags.
KS		X						Only applies for first 10 years.
KY						X	X	Installing/reinstalling any object in lieu of an airbag is prohibited.
LA		X					X	5/14 - Revised airbag law prohibits counterfeit and nonfunctional airbags.
ME				X				Customer must consent to use of used, reconditioned or rebuilt part, but not new aftermarket.
MD		X					X	5/16 - New law prohibits counterfeit and nonfunctional airbags.
MA	X	X		X			X	Consumers with policies written after 12/31/03 have right to OEM parts for first 20,000 miles; applies to vehicles up to 10 years old. Disclosure in policies required for those choosing optional participating repair shop endorsement plans. 2015 - MADALB overturned 2014 ruling allowing use of photos & videos in lieu of physical inspections. 1/19 - New law prohibits counterfeit SRS components and nonfunctional airbags.
MI		X						
MN				X			X	No specific disclosure statement or consent requirement, but customers requesting an estimate must be notified if parts are new, used, rebuilt, reconditioned or replated. Insurers cannot require that non-OE parts be used, other than glass. Installing/reinstalling any object in lieu of an airbag is prohibited.
MS		X					X	Installing/reinstalling any object in lieu of an airbag is prohibited.
MO		X				X		
MT								
NE		X				X	X	3/19 - Revised airbag law prohibits counterfeit SRS components and nonfunctional airbags.
NV		X	X					Consent required for use of aftermarket or used body parts. Repairs must be performed in accordance with OE specs.

## State Non-OEM Crash Parts Consumer Disclosure and Consent Laws & Regulations

State	Disclosure - Ins. Policy	Disclosure - Estimate	Consent	Consent w/ Limits	Estimate Sign-off	Like Kind & Quality	Airbag Law	Notes
NH		X		X		X	X	No specific consent requirement, but insurers can't require non-OE parts for two years and 30,000 miles. Non-OE can't be required on lease vehicles if lease states such parts will cause diminution of residual value. <b>7/20 - Revised airbag law prohibits counterfeit SRS components and nonfunctional airbags, but nothing prohibits use of recycled airbags that meet those requirements. Effective 1/1/21.</b>
NJ		X				X	X	Certified parts meet like kind and quality requirement. 11/15 - New law prohibits counterfeit and nonfunctional airbags.
NM							X	Post-repair invoice must disclose used, rebuilt or aftermarket crash parts. 7/15 - New law prohibits counterfeit and nonfunctional airbags.
NY		X		X		X	X	Consent required if insurer specifies non-OE parts from more than three suppliers. Required non-OE parts must be certified unless they come with a written warranty that they equal or exceed OE parts in fit, form, finish, quality and performance for at least insured's ownership of vehicle. Installing/reinstalling a counterfeit or non-functional airbag is prohibited; salvage airbags must be certified.
NC	X	X				X	X	Written disclosure notice required in insurance policy that non-OE parts may be used. <b>7/19 - Revised airbag law prohibits counterfeit SRS or nonfunctional airbags.</b>
ND							X	<b>3/19 - New airbag law prohibits counterfeit SRS components and nonfunctional airbags.</b>
OH		X			X	X	X	Customers choosing to receive an estimate must be notified on estimate that non-OE parts will be used and must sign estimate but no specific non-OE consent requirement. Like kind and quality applies to salvage only. 3/14 - Revised airbag law prohibits counterfeit and nonfunctional airbags.
OK		X					X	Installing/reinstalling any object in lieu of an airbag is prohibited.
OR		X		X		X		Consent does not apply to parts certified to be at least equivalent to part being replaced in terms of fit, finish, function and corrosion resistance. 2015 - Nationwide Ins. memo says only CAPA- and NSF-certified parts meet state law on certified parts.
PA		X						Estimate must disclose location where listed parts are available in a condition equivalent to, or better than---prior to the accident---the parts being replaced.

## State Non-OEM Crash Parts Consumer Disclosure and Consent Laws & Regulations

State	Disclosure - Ins. Policy	Disclosure - Estimate	Consent	Consent w/ Limits	Estimate Sign-off	Like Kind & Quality	Airbag Law	Notes
RI		X		X		X	X	For first 48 months, written consent required for insurer-specified use of non-OE parts, and owner can require insurer to pay for OE or non-OE. Written disclosure of that option required in appraisal or estimate. Disclosure applies to first-party and third-party claims. New law passed in 2018 also prohibits insurers from requiring repair procedures not in compliance with OEM recommendations, when OEM parts are used. Sale or installation of salvage airbags must be disclosed to purchaser and vehicle owner. <b>6/18 - Revised airbag law prohibits counterfeit SRS components and nonfunctional airbags.</b>
SC							X	<b>6/16 - New law prohibits counterfeit and nonfunctional airbags.</b>
SD		X						
TN		X		X			X	Consent applies to current and immediate-prior-year models only. <b>4/18 - Revised airbag law prohibits counterfeit SRS components and nonfunctional airbags.</b>
TX			X				X	Owner has right to choose parts used in repair, though no specific consent requirement applies to non-OE parts; insurer must disclose that right to insured. Making, selling or installing a counterfeit airbag and failing to install an airbag as purported are prohibited.
UT		X					X	Repairer with knowledge that an airbag has been damaged or deployed must return airbag system to its original operating condition.
VT							X	Installing/reinstalling any object in lieu of an airbag is prohibited.
VA		X				X	X	Disclosure required for salvage airbags. <b>3/19 - Revised airbag law prohibits counterfeit and nonfunctional airbags.</b>
WA		X	X				X	Customer or customer's designee must give oral or written authorization before any parts or labor are provided. Disclosure applies to repairs > \$100, unless customer waives right to an estimate. Airbag law prohibits sale/installation/reinstallation of any device causing diagnostic system to indicate presence of a functional airbag when a counterfeit, nonfunctional or no airbag is installed.
WV		X		X			X	Written consent applies for first three years. State Sup. Ct. ruled in June 2014 that disclosure and consent do not apply to salvage parts. Installing/reinstalling any object in lieu of an airbag is prohibited.
WI		X					X	Insureds may request non-OE parts not be used, but insured must pay the cost difference. Sale/installation/reinstallation/distribution of previously deployed airbags and installing a cover to conceal a previously deployed or missing airbag are prohibited.
WY		X	X			X		
<b>Total</b>	<b>5</b>	<b>38</b>	<b>6</b>	<b>11</b>	<b>2</b>	<b>17</b>	<b>35</b>	<b>New additions since last update in red.</b>

## State Non-OEM Crash Parts Consumer Disclosure and Consent Laws & Regulations

### Category Descriptions

---

<b>Disclosure - Insurance Policy:</b>	Disclosure of the insurer's use of or ability to use non-OEM crash parts must be made to consumer in the insurance policy or time of policy purchase.
<b>Disclosure - Estimate:</b>	Disclosure of the intended use of non-OEM crash parts made as part of the repair estimate; unless otherwise noted, this also includes a statement in or attached to the estimate, along with listing the non-OEM parts to be used.
<b>Consent:</b>	The consumer must give his/her consent, either written or verbal, for the use of non-OEM crash parts prior to their use in the repair; or gives consumers right to choose which parts are used without specifically calling for consent for non-OEM, as noted.
<b>Consent w/ Limits:</b>	The consumer must give his/her consent, either written or verbal, for the use of non-OEM crash parts, but with certain limitations. Usually refers to the length of time the requirement applies---see notes.
<b>Estimate Sign-off:</b>	Consumer is required to sign repair estimate before the repair can proceed.
<b>Like Kind &amp; Quality:</b>	Non-OEM parts must be "like kind and quality" to OEM parts, or the parts on the vehicle prior to the accident. Usually means they're required to at least equal OEM parts in terms such as quality, fit and performance---see notes for variations.
<b>Airbag Law:</b>	The state has some kind of law or regulation pertaining to the repair or replacement of airbags---see notes for specifics.