



ARIZONA STATE SENATE
Fifty-Fifth Legislature, Second Regular Session

AMENDED
FACT SHEET FOR S.B. 1410

auto glass; repair; penalties

Purpose

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

Background

Statute deems it unlawful for a person who sells or repairs auto glass to knowingly: 1) submit a false claim to an insurer for auto glass repair or replacement or for related services; 2) advise a policyholder to falsify the date of damage to the auto glass that results in a change of insurance coverage for the repair or replacement of the auto glass; 3) falsely sign on behalf of a policyholder, or another person, on a work order, insurance assignment form or other related form in order to submit a claim to an insurer for an auto glass repair or replacement or for related services; 4) misrepresent to a policyholder or other person the price of the proposed repairs or replacement being billed to the policyholder's insurance or that the insurer has approved the repairs or replacement; 5) add to, or encourage a policyholder to add to, the damage of auto glass before repair to increase the scope of repair or replacement; and 6) perform work clearly and substantially beyond the level of work necessary to repair or replace the auto glass to put the vehicle back into a safe, pre-damaged condition in accordance with accepted or approved reasonable and customary glass repair or replacement techniques.

It is also unlawful for a person who repairs auto glass to misrepresent the relationship of the glass repair facility to the policyholder's insurer ([A.R.S. § 20-463.01](#)). A person who commits fraud relating to auto glass repair with the intent to injure, defraud or deceive an insurer is guilty of a class 6 felony ([A.R.S. § 20-466.01](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Requires an auto glass repair or replacement facility that conducts glass repair, replacement or recalibration on a vehicle that is equipped with an advanced driver assistance system to inform the customer:
 - a) if a recalibration of that system is required; and
 - b) a recalibration must meet or exceed the vehicle manufacturer's specifications, if a recalibration of that system is performed.

2. Requires an auto glass repair or replacement facility to provide the customer with an itemized description of the work being done to the vehicle.
3. Prohibits an auto glass repair or replacement facility from representing to a customer that the cost of a repair, replacement or recalibration will be paid for entirely by the customer's insurer and at no cost to the customer unless the cost of the repair, replacement or recalibration is fully covered as provided by the customer's insurance policy.
4. Requires an auto glass repair or replacement facility, if a recalibration was not performed or not completed successfully, to inform the customer electronically or in writing that:
 - a) the recalibration was not successful or was not performed; and
 - b) that the vehicle should be taken to a vehicle manufacturer's certified dealership, a qualified auto glass repair or replacement facility capable of performing the recalibration of an advanced driver assistance system that meets or exceeds the vehicle manufacturer's specifications.
5. Specifies that an auto glass repair or replacement facility that conducts a scan or recalibration for vehicle glass repair or replacement services on a vehicle equipped with an advanced driver assistance system is not limited to vehicle glass, tooling, equipment or repair procedures dictated or recommended by the vehicle manufacturer.
6. Requires the auto glass repair or replacement facility to recalibrate the advanced driver assistance system to meet or exceed the manufacturer's specifications.
7. Prohibits an auto glass repair or replacement facility from billing or charging the customer or the customer's insurer for vehicle glass repair, replacement or recalibration services that are not performed in accordance with the vehicle manufacturer's specifications.
8. Subjects a person to a civil penalty of \$2,500 for a violation of the prescribed automotive glass repair requirements.
9. Stipulates that a violation of auto glass repair requirements is subject to enforcement.
10. Defines *advanced driver assistance system* and *recalibrate* or *recalibration*.
11. Becomes effective on the general effective date.

Amendments Adopted by Committee of the Whole

1. Replaces references to an *automotive glass company or repair facility* with an *auto glass repair or replacement facility*.
2. Requires a facility to inform the customer that the recalibration must meet the vehicle manufacturer's specifications.
3. Specifies that a facility may only represent costs that are fully covered as provided by the customer's insurance policy, rather than if approved by the insurer.

4. Removes the requirement of the facility to provide the customer with the total amount the insurer agrees to pay for the work.
5. Expands the duty of the facility to inform the customer's insurer, in addition to the customer, when a recalibration is unsuccessful or not performed.
6. Specifies that the facility may not bill or charge the customer or the customer's insurance for services not performed in accordance with the vehicle manufacturer's specifications.
7. Increases the civil penalty from \$500 to \$2,500.
8. Stipulates that a violation of auto glass repair requirements is subject to enforcement.
9. Modifies the definition of an *advanced driver assistance system*.
10. Adds a definition for *recalibrate or recalibration*.
11. Makes conforming changes.

Senate Action

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Prepared by Senate Research

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