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Ms. Candace Thorson (Via Email)
Deputy Executive Director
National Conference of Insurance Legislators
385 Jordan Road
Troy, NY 12180

Subject: NCOIL Aftermarket Crash Parts Model Law

Ms. Thorson:

I understand the deadline for submitting suggested language revisions to the Aftermarket Crash Parts model is Thursday, August 27, 2009. While CCC previously sent written comments to the Committee at its meeting in Philadelphia expressing our concern with the proposal that an aftermarket parts notice appear “on page one” of an estimate, we would like to take this opportunity to provide a specific suggestion to modify the language of the Aftermarket Crash Parts Model Law. A copy of our original letter is also attached separately for reference purposes, the contents of which remain applicable.

To the extent that the model act requires any mandatory notice, we would request the following revision:

Current language in the model is as follows: (with red-line suggested revision)

B. If aftermarket crash parts will be used, ~~page one of~~ the estimate must:

- i. identify the manufacturer or distributor of each aftermarket crash part.
- ii. disclose that the car company will not warrant aftermarket crash parts.
- iii. include the following notice in at least 12-point type:

“Installing a part, other than a part described on the written estimate, without prior approval from the customer is unlawful. If you suspect an illegal installation of parts by your auto repair facility, call the *[insert state agency]* at *[insert toll-free telephone number]*.”

This revision would simply remove the requirement that a notice appear on page one of an estimate and enable the user of any repair estimating provider to comply with such notice requirements. Any such required notice would be printed on the estimate, just not on page one.

Please provide this suggested revision to the committee as they give further consideration to the proposed language of the Aftermarket Crash Parts Model Law.

Sincerely,

Michael E. Barber