

---

THE GENERAL ASSEMBLY OF PENNSYLVANIA

---

SENATE BILL

No. 1157 Session of  
1999

---

INTRODUCED BY O'PAKE, COSTA, MELLOW, SALVATORE, BODACK, MUSTO,  
KASUNIC, STOUT, KITCHEN AND BELAN, OCTOBER 26, 1999

---

REFERRED TO BANKING AND INSURANCE, OCTOBER 26, 1999

---

AN ACT

1 Requiring use of original equipment manufacturer or equivalent  
2 parts for repairs to motor vehicles; imposing penalties; and  
3 providing for duties of the Attorney General.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Short title.

7 This act shall be known and may be cited as the Motor Vehicle  
8 Replacement Parts Act.

9 Section 2. Definitions.

10 The following words and phrases when used in this act shall  
11 have the meanings given to them in this section unless the  
12 context clearly indicates otherwise:

13 "Aftermarket part." A replacement for any of the  
14 nonmechanical sheet metal or plastic parts which generally  
15 constitute the exterior of a motor vehicle. The term includes  
16 inner and outer panels.

17 "Equivalent part." A part with specifications identical to  
18 the original equipment manufacturer part.

1 "Motor vehicle." As defined in 75 Pa.C.S. § 102 (relating to  
2 definitions).

3 "Repair facility." Any motor vehicle dealer, garage, body  
4 shop or other commercial entity, that undertakes the repair or  
5 replacement of those parts which generally constitute the  
6 exterior of a motor vehicle.

7 Section 3. Prohibition.

8 (a) General rule.--A repair facility may not sell, offer for  
9 sale, lease, install or replace, either separately or as part of  
10 the equipment of the vehicle, any vehicle crash part or part  
11 directly affecting the safe operation of the vehicle that is  
12 other than an original equipment manufacturer part or an  
13 equivalent part.

14 (b) Applicability.--This section shall apply only during the  
15 period during which the motor vehicle is under warranty by the  
16 manufacturer or five years from the date of original purchase of  
17 a new vehicle, whichever is longer.

18 Section 4. Penalty.

19 Any person who violates this act shall be subject to a civil  
20 penalty of not more than \$5,000 for each violation. Each  
21 violation of this act shall constitute a separate violation with  
22 respect to each motor vehicle or motor vehicle equipment part,  
23 except that the maximum civil penalty shall not exceed \$50,000  
24 for any related series of violations.

25 Section 5. Duties of Attorney General.

26 The Attorney General shall be charged with the enforcement of  
27 this act and shall promulgate rules and regulations in  
28 connection herewith.

29 Section 6. Effective date.

30 This act shall take effect in 60 days.