



## 1997 ASSEMBLY BILL 416

June 10, 1997 - Introduced by Representatives FREESE, RILEY, MUSSER, REYNOLDS, URBAN, ZIEGELBAUER, OTT, TRAVIS, UNDERHEIM, NOTESTEIN, HANDRICK, STASKUNAS, OTTE, L. YOUNG, ALBERS, HASENOHRL, HAHN, CARPENTER, TURNER, RYBA and MEYER, cosponsored by Senators RISSER, DRZEWIECKI, GROBSCHMIDT, WIRCH, CLAUSING, ROSENZWEIG, BURKE and RUDE. Referred to Committee on Consumer Affairs.

1     **AN ACT** *to amend* 632.38 (title) and 632.38 (2) (title); and *to create* 632.38 (1)  
2             (dm) and 632.38 (5) of the statutes; **relating to:** the use of original  
3             manufacturer replacement parts.

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### *Analysis by the Legislative Reference Bureau*

Under current law, an insurer may not use nonoriginal manufacturer replacement parts in the repair of an insured's motor vehicle unless the insurer complies with specific notice requirements. (Nonoriginal manufacturer replacement parts are nonmechanical sheet metal or plastic parts for the repair of the exterior of a motor vehicle that are not made by or for the manufacturer of the insured's motor vehicle.) The notice must clearly identify the replacement parts as nonoriginal manufacturer replacement parts and advise the insured that warranties on the parts are provided by the manufacturer of the parts, not the manufacturer of the insured's motor vehicle. This bill provides that, regardless of the notice requirements for the use of nonoriginal manufacturer replacement parts, in the repair of an insured's motor vehicle an insurer must use replacement parts that are made by or for the manufacturer of the insured's motor vehicle (original manufacturer replacement parts) if the model year of the insured's motor vehicle is 5 years old or less and if at the time of contracting for repairs the insured requests the use of original manufacturer replacement parts.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

