HB 304-FN - AS INTRODUCED

2023 SESSION

23-0475
02/05

HOUSE BILL ***304-FN***

AN ACT relative to advanced driver assistance system disclosures by auto glass repair or replacement facilities.

SPONSORS: Rep. McGough, Hills. 12

COMMITTEE: Commerce and Consumer Affairs

ANALYSIS

This bill requires auto glass repair or replacement facilities to inform customers whether recalibration of any advanced driver assistance system may be required.

- -

Explanation: Matter added to current law appears in ***bold italics.***
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

23-0475
02/05

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to advanced driver assistance system disclosures by auto glass repair or replacement facilities.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 New Section; Advanced Driver Assistance System Repair Disclosure. Amend RSA 358-D by inserting after section 12 the following new section:

358-D:13 Advanced Driver Assistance System Repair Disclosure.

I. For the purposes of this section:

(a) "Advanced driver assistance system" means electronic systems that use automated technology, such as sensors and cameras, to detect nearby obstacles or driver errors and that respond to assist drivers to safely operate a vehicle.

(b) "Recalibrate" or "recalibration" means to instruct a vehicle's advanced driver assistance system, including internal computers, to readjust targeted cameras, sensors, and other technology to function properly in accordance with the vehicle manufacturer's specifications.

II. If a vehicle is equipped with an advanced driver assistance system, an auto glass repair or replacement facility that conducts glass repair, replacement, or recalibration on the vehicle shall inform the customer both:

(a) If a recalibration of that system is required; and

(b) If a recalibration of that system is performed, that it must meet or exceed the vehicle manufacturer's specifications.

III. An auto glass repair or replacement facility shall provide the customer with a description of the work to be done on the vehicle.

IV. If a recalibration was not performed or not completed successfully, the auto glass repair or replacement facility shall inform the customer in writing or electronically that the recalibration was not successful or was not performed and that the vehicle should be taken to a vehicle manufacturer's certified dealership or 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.

V. An auto glass repair or replacement facility that conducts a recalibration for vehicle glass repair or replacement services on a vehicle equipped with an advanced driver assistance system:

(a) Is not limited to vehicle glass, tooling, equipment or repair procedures dictated or recommended by the vehicle manufacturer; and

(b) Shall recalibrate the advanced driver assistance system to meet or exceed the vehicle manufacturer's specifications.

2 Effective Date. This act shall take effect 60 days after its passage.

LBA
23-0475
1/3/23

HB 304-FN- FISCAL NOTE
AS INTRODUCED

AN ACT relative to advanced driver assistance system disclosures by auto glass repair or replacement facilities.

FISCAL IMPACT: [X] State [ ] County [ ] Local [ ] None

	Estimated Increase / (Decrease)			
STATE:	**FY 2023**	**FY 2024**	**FY 2025**	**FY 2026**
Appropriation	$0	$0	$0	$0
Revenue	$0	$0	$0	$0
Expenditures	$0	Indeterminable	Indeterminable	Indeterminable
Funding Source:	[X] General	[ ] Education	[ ] Highway	[ ] Other

METHODOLOGY:

This bill requires auto glass repair/replacement facilities to inform customers whether recalibration of any advanced driver assistance system may be required. Failure to comply with any of the provisions of the bill would amount to an unfair or deceptive act or practice in violation of RSA 358-A:2 and would be enforced by the Consumer Protection and Antitrust Bureau of the Attorney General's Office. This bill may result in an increased number of investigations and/or prosecutions by the Department of Justice and therefore may increase state expenditures by an indeterminable amount in FY 2024 and each year thereafter.

AGENCIES CONTACTED:

Department of Justice

CONSENT CALENDAR

March 8, 2023

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on Commerce and Consumer Affairs to which was referred HB 304-FN,

AN ACT relative to advanced driver assistance system disclosures by auto glass repair or replacement facilities. Having considered the same, report the same with the following resolution: RESOLVED, that it is INEXPEDIENT TO LEGISLATE.

Rep. Carry Spier

FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

COMMITTEE REPORT

Committee:	**Commerce and Consumer Affairs**
Bill Number:	**HB 304-FN**
Title:	**relative to advanced driver assistance system disclosures by auto glass repair or replacement facilities.**
Date:	**March 8, 2023**
Consent Calendar:	**CONSENT**
Recommendation:	**INEXPEDIENT TO LEGISLATE**

STATEMENT OF INTENT

The main advanced driver assistance component affected by auto glass replacement is the camera located in the rearview mirror windshield mount. In addition to windshield replacement, investigation indicated that the camera could become misaligned if the suspension system or wheel alignment is changed, if an airbag deploys, if various collision repairs are performed, or if tire or ride height changes. If the bill were to be modified to be more comprehensive and cover all cases where the camera can become misaligned, it begins to take on the responsibility of the car manufacturer or dealer. A check of several owner's manuals for late model cars indicates the windshield should only be replaced at a qualified facility. It was brought out in the hearing that insurance companies often only cover the replacement if the car is brought to an approved facility. And it is possible that with some modification, alignment may become automatic or not even be required in the future. The only presenters at the hearing for this bill were several independent auto glass replacement companies that have tools to perform the alignment.

Vote 18-1.

Rep. Carry Spier
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Commerce and Consumer Affairs

HB 304-FN, relative to advanced driver assistance system disclosures by auto glass repair or replacement facilities. **INEXPEDIENT TO LEGISLATE.**

Rep. Carry Spier for Commerce and Consumer Affairs. The main advanced driver assistance component affected by auto glass replacement is the camera located in the rearview mirror windshield mount. In addition to windshield replacement, investigation indicated that the camera could become misaligned if the suspension system or wheel alignment is changed, if an airbag deploys, if various collision repairs are performed, or if tire or ride height changes. If the bill were to be modified to be more comprehensive and cover all cases where the camera can become misaligned, it begins to take on the responsibility of the car manufacturer or dealer. A check of several owner's manuals for late model cars indicates the windshield should only be replaced at a qualified facility. It was brought out in the hearing that insurance companies often only cover the replacement if the car is brought to an approved facility. And it is possible that with some modification, alignment may become automatic or not even be required in the future. The only presenters at the hearing for this bill were several independent auto glass replacement companies that have tools to perform the alignment. **Vote 18-1.**

Original: House Clerk
Cc: Committee Bill File

SIGN UP SHEET

To Register Opinion If Not Speaking

Bill #: HB304 Date: 2/15/23

Committee: Commerce

**** Please Print All Information ****

Name	Address	Phone	Representing	Pro	Con
Bonnie Wheeler	26 Golf Club Rd Newport NH	603-372-7388	Auto Glass Safety Council	✓	

Rep Tim McGough, Prime Sponsor
Hills-12
Merrimack, NH

15 February 2023

Testimony in Support of HB 304-FN, with Amendment as offered today in Committee

HOUSE BILL 304-FN

AN ACT relative to advanced driver assistance system disclosures by auto glass repair or replacement facilities.

ANALYSIS

This bill requires auto glass repair or replacement facilities to inform customers whether recalibration of any advanced driver assistance system may be required.

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Thank you Chairman Hunt and Members of the House Commerce committee.

Good to see you again – twice in one day. My privilege – and thank you again for scheduling both bills today. You should all have copies of my amendment already. It is attached to this written testimony as well.

This one should be pretty quick. I will hand off to some experts behind me after a quick personal story.

HB 304 is a good consumer protection bill, designed to inform the consumer about some bad practices they could not possibly or at least would be very unlikely to know about related to windshield repairs. And to save them and the insurance business some money.

Have you ever found yourself ready to get your car or truck inspected only to find out you have a nasty chip on your windshield? This happened to me at my friendly trusted dealer about a year ago in Manchester. Except I had not noticed the chip since it was hidden out of view near the A-pillar. The dealer pointed it out and said I would need the entire windshield replaced before he could pass it on my next inspection in September.

I promptly called Geico and filed a glass claim under my comprehensive insurance. They informed me right away that I would need to have the repair done at only an authorized dealer or repair shop that could calibrate the windshield. I had no idea what they were talking about and essentially ignored them because I was already at the dealer anyway who was planning on handling it directly and I had no comprehensive glass deductible so I was not worried.

Well, little did I know, this was the beginning of a month long odyssey of repairs and replacements, and return trips to Manchester. About $4000 later, and three loaner vehicles, after having my entire dashboard taken off twice, the Heads-Up display removed and replaced, the software upgraded, and various other repairs, then I learned the incredible importance of having only a qualified repair shop doing this "simple" windshield repair job.

Thankfully, State Motors and the Grant Family in Manchester uses only that type – it was either Safelight or Portland Autoglass, I am not actually sure. But they did a great job figuring it out. Numerous calibrations and fittings and they got it right, but it was incredibly difficult and important, and the sensors and various radar and laser units involved were tricky to adjust, and I know now why Geico was so insistent in telling me that only a particular type of shop do the job. So when Safelight quite coincidentally approached me about adding this language to the NH RSA similar to some other states, I said "have I got a story for you" and I checked with some of my local shops in Merrimack to get their opinions from the small independent guys, and they all agree, they sub contract out the glass work for the exact reason I detailed in my story. Only the fly-by-night shop would be negatively impacted by this bill, and that is exactly the kind of consumer protection work I think Commerce should do on occasion. Thanks for your support in considering this bill. Windshields are much more complex than just the glass these days. I will leave it to the experts to explain some of the facts and figures and the technical aspects of the bill language as something similar has come up before.

Respectfully submitted,

Rep. Tim McGough
Hillsborough-12

Amendment:

Rep. McGough, Hills. 12 February 13, 2023

2023-0509h
02/10
Amendment to HB 304-FN
Amend RSA 358-D:13, I
as inserted by section 1 of the bill by replacing it with the following:

I. For the purposes of this section:
(a) "Advanced driver assistance system" means electronic systems that use automated technology, such as sensors and cameras, to detect nearby obstacles or driver errors and that respond to assist drivers to safely operate a vehicle.
(b) "Auto glass repair or replacement facility" means a person or entity which is primarily engaged, for compensation, in the business of repair or replacement of motor vehicle glass.
(c) "Recalibrate" or "recalibration" means to instruct a vehicle's advanced driver assistance system, including internal computers, to readjust targeted cameras, sensors, and other technology to function properly in accordance with the vehicle manufacturer's specifications.

HOUSE COMMITTEE ON COMMERCE AND CONSUMER AFFAIRS

EXECUTIVE SESSION on HB 304-FN

BILL TITLE: relative to advanced driver assistance system disclosures by auto glass repair or replacement facilities.

DATE: March 8, 2023

LOB ROOM: 302-304

MOTIONS: INEXPEDIENT TO LEGISLATE

Moved by Rep. Spier Seconded by Rep. Terry Vote: 18-1

CONSENT CALENDAR: YES

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep Jane Beaulieu, Clerk

STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

1/5/2023 1:24:24 PM
Roll Call Committee Registers Report

2023 SESSION

Commerce and Consumer Affairs

Bill #: HB304-FN Motion: ITL AM #: _____ Exec Session Date: 3/8/23

Members	YEAS	Nays	NV
Hunt, John B. Chairman	✓		
Ammon, Keith Michael Vice Chairman	✓		
Osborne, Jason M.	✓		
Potucek, John M.	✓		
Terry, Paul A	✓		
Post, Lisa C.M.	✓		
Cole, Brian D	✓		
Porcelli, Susan M	✓		
Thackston, Dick H	✓		
Walsh, Lilli M	✓		
Burroughs, Anita D.	✓		
Herbert, Christopher J.	✓		
Beaulieu, Jane E. Clerk	✓		
McAleer, Chris R.	✓		
Vincent, Kenneth S.			
Calabro, Karen E	✓		
Filiault, Shaun M	✓		
Gibbs, Merryl		✓	
Spier, Carry	✓		
Sullivan, Jared	✓		
TOTAL VOTE:	18	1	