

SENATE BILL 793

I3, R6
SB 428/22 – FIN

3lr1105
CF HB 920

By: **Senators West, Feldman, Beidle, and Klausmeier**

Introduced and read first time: February 6, 2023

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Consumer Protection – Motor Vehicle Glass Repair or Replacement – Advanced**
3 **Driver Assistance System Recalibration**

4 FOR the purpose of establishing consumer protections related to the repair or replacement
5 of motor vehicle glass on motor vehicles equipped with an advanced driver assistance
6 system; and generally relating to consumer protections related to the repair or
7 replacement of motor vehicle glass on motor vehicles equipped with advanced driver
8 assistance systems.

9 BY repealing and reenacting, with amendments,
10 Article – Commercial Law
11 Section 13–301(14)(xxxv)
12 Annotated Code of Maryland
13 (2013 Replacement Volume and 2022 Supplement)

14 BY repealing and reenacting, without amendments,
15 Article – Commercial Law
16 Section 13–301(14)(xxxvi)
17 Annotated Code of Maryland
18 (2013 Replacement Volume and 2022 Supplement)

19 BY adding to
20 Article – Commercial Law
21 Section 13–301(14)(xxxvii) and 14–1327
22 Annotated Code of Maryland
23 (2013 Replacement Volume and 2022 Supplement)

24 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
25 That the Laws of Maryland read as follows:

26 **Article – Commercial Law**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



13-301.

Unfair, abusive, or deceptive trade practices include any:

(14) Violation of a provision of:

(xxxv) Section 11-210 of the Education Article; [or]

(xxxvi) Title 14, Subtitle 44 of this article; or

(xxxvii) **SECTION 14-1327 OF THIS ARTICLE; OR**

14-1327.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "ADVANCED DRIVER ASSISTANCE SYSTEM" MEANS AN ELECTRONIC SYSTEM THAT USES AUTOMATED TECHNOLOGY INCLUDING CAMERAS AND SENSORS TO DETECT NEARBY OBSTACLES AND DRIVER ERRORS TO ASSIST A DRIVER IN THE SAFE OPERATION OF A MOTOR VEHICLE.

(3) "MOTOR VEHICLE" HAS THE MEANING STATED IN TITLE 11 OF THE TRANSPORTATION ARTICLE.

(4) "MOTOR VEHICLE SAFETY GLASS FACILITY" MEANS A PERSON THAT:

(I) REPAIRS OR REPLACES MOTOR VEHICLE SAFETY GLASS; AND

(II) PROVIDES RELATED RECALIBRATION OF AN ADVANCED DRIVER ASSISTANCE SYSTEM.

(5) "PERSON" INCLUDES AN INDIVIDUAL, A CORPORATION, A BUSINESS TRUST, A TRUST ESTATE, AN ASSOCIATION, TWO OR MORE PERSONS HAVING A JOINT OR COMMON INTEREST, OR ANY OTHER LEGAL OR COMMERCIAL ENTITY.

(6) "RECALIBRATION" MEANS THE READJUSTMENT OF CAMERAS, SENSORS, AND OTHER TECHNOLOGY IN AN ADVANCED DRIVER ASSISTANCE SYSTEM TO ENSURE PROPER WORKING ORDER IN ACCORDANCE WITH MOTOR VEHICLE MANUFACTURER SPECIFICATIONS.

1 **(B) BEFORE REPAIRING OR REPLACING MOTOR VEHICLE GLASS, IF A**
2 **MOTOR VEHICLE IS EQUIPPED WITH AN ADVANCED DRIVER ASSISTANCE SYSTEM, A**
3 **MOTOR VEHICLE SAFETY GLASS FACILITY SHALL:**

4 **(1) INFORM THE CUSTOMER IF THE RECALIBRATION OF AN**
5 **ADVANCED DRIVER ASSISTANCE SYSTEM IS REQUIRED; AND**

6 **(2) PROVIDE THE CUSTOMER WITH A STATEMENT THAT THE WORK TO**
7 **BE PERFORMED ON THE MOTOR VEHICLE WILL MEET OR EXCEED ORIGINAL**
8 **EQUIPMENT MANUFACTURER SPECIFICATIONS.**

9 **(C) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A MOTOR**
10 **VEHICLE SAFETY GLASS FACILITY IS NOT LIMITED TO MOTOR VEHICLE GLASS,**
11 **TOOLING, EQUIPMENT, OR REPAIR PROCEDURES PROVIDED BY THE VEHICLE**
12 **MANUFACTURER.**

13 **(2) RECALIBRATION OF AN ADVANCED DRIVER ASSISTANCE SYSTEM**
14 **PERFORMED BY A MOTOR VEHICLE SAFETY GLASS FACILITY SHALL MEET OR**
15 **EXCEED THE MOTOR VEHICLE MANUFACTURER'S SPECIFICATIONS.**

16 **(3) A MOTOR VEHICLE SAFETY GLASS FACILITY MAY NOT CHARGE**
17 **FOR SERVICES THAT ARE NOT PERFORMED OR SUCCESSFULLY COMPLETED.**

18 **(D) A MOTOR VEHICLE SAFETY GLASS FACILITY SHALL INFORM THE**
19 **CUSTOMER IF RECALIBRATION OF AN ADVANCED DRIVER ASSISTANCE SYSTEM IS**
20 **REQUIRED AND IS NOT PERFORMED OR SUCCESSFULLY COMPLETED.**

21 **(E) A VIOLATION OF THIS SECTION BY A MOTOR VEHICLE SAFETY GLASS**
22 **FACILITY IS:**

23 **(1) AN UNFAIR, ABUSIVE, OR DECEPTIVE TRADE PRACTICE WITHIN**
24 **THE MEANING OF TITLE 13 OF THIS ARTICLE; AND**

25 **(2) SUBJECT TO THE ENFORCEMENT AND PENALTY PROVISIONS**
26 **CONTAINED IN TITLE 13 OF THIS ARTICLE.**

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 October 1, 2023.