

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

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 5, 2023

CHAPTER _____

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



(2013 Replacement Volume and 2022 Supplement)

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

Article – Commercial 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.~~

1 ~~(6)~~ (5) “RECALIBRATION” MEANS THE READJUSTMENT OF
2 CAMERAS, SENSORS, AND OTHER TECHNOLOGY IN AN ADVANCED DRIVER
3 ASSISTANCE SYSTEM TO ENSURE PROPER WORKING ORDER IN ACCORDANCE WITH
4 MOTOR VEHICLE MANUFACTURER SPECIFICATIONS.

5 (B) BEFORE REPAIRING OR REPLACING MOTOR VEHICLE GLASS, IF A
6 MOTOR VEHICLE IS EQUIPPED WITH AN ADVANCED DRIVER ASSISTANCE SYSTEM, A
7 MOTOR VEHICLE SAFETY GLASS FACILITY SHALL:

8 (1) INFORM THE CUSTOMER IF THE RECALIBRATION OF AN
9 ADVANCED DRIVER ASSISTANCE SYSTEM IS REQUIRED; AND

10 (2) PROVIDE THE CUSTOMER WITH A WRITTEN STATEMENT THAT THE
11 WORK TO BE PERFORMED ON THE MOTOR VEHICLE WILL MEET OR EXCEED
12 ORIGINAL EQUIPMENT MANUFACTURER SPECIFICATIONS.

13 (C) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A MOTOR
14 VEHICLE SAFETY GLASS FACILITY IS NOT LIMITED TO MOTOR VEHICLE GLASS,
15 TOOLING, EQUIPMENT, OR REPAIR PROCEDURES PROVIDED BY THE VEHICLE
16 MANUFACTURER.

17 (2) RECALIBRATION OF AN ADVANCED DRIVER ASSISTANCE SYSTEM
18 PERFORMED BY A MOTOR VEHICLE SAFETY GLASS FACILITY SHALL MEET OR
19 EXCEED THE MOTOR VEHICLE MANUFACTURER’S SPECIFICATIONS.

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

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

25 (E) A VIOLATION OF THIS SECTION BY A MOTOR VEHICLE SAFETY GLASS
26 FACILITY IS:

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

29 (2) SUBJECT TO THE ENFORCEMENT AND PENALTY PROVISIONS
30 CONTAINED IN TITLE 13 OF THIS ARTICLE.

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