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VIRGINIA ACTS OF ASSEMBLY — CHAPTER

An Act to amend and reenact § 46.2-1181 of the Code of Virginia; to amend the Code of Virginia by adding in Title 59.1 a chapter numbered 17.1:1, consisting of sections numbered 59.1-207.6:1 through 59.1-207.6:4; and to repeal § 59.1-207.5:1 of the Code of Virginia, relating to motor vehicles; emissions; glass repair and replacement.

[H 312]

Approved

Be it enacted by the General Assembly of Virginia:
1. That § 46.2-1181 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding in Title 59.1 a chapter numbered 17.1:1, consisting of sections numbered 59.1-207.6:1 through 59.1-207.6:4, as follows:

§ 46.2-1181. Emissions inspection; cost of repairs; waivers.
A. A motor vehicle shall qualify for an emissions inspection waiver in the event that such vehicle has failed an initial inspection and subsequently failed a reinspection or the vehicle's onboard diagnostic system is in a not-ready condition to be tested when presented for reinspection if the owner provides written proof that (i) at least the amount specified in this section has been spent by the owner on the maintenance and repair of the vehicle's engine and emission control system and related equipment and (ii) any emission control system or part thereof which that has been removed, damaged, or rendered inoperable by any act enumerated in § 46.2-1048 has been replaced and restored to operating condition.

B. The Director shall establish and revise, as necessary, specifications and procedures for motor vehicle maintenance and repair of pollution control devices and systems.

C. For the purposes of subsection A:
1. For motor vehicles subject to basic emissions inspections under subsection A of § 46.2-1178, cost limitations on repairs under the emissions inspection program, including parts and labor, but excluding costs of repairs covered by warranties, shall be \$175 for pre-1980 model vehicles and \$200 for 1980 and newer vehicles, using 2012, or a later date if allowed by federal regulations and approved by the Board, as the base year and annually adjusted by the Consumer Price Index. The Board may phase in waiver amounts.

2. For motor vehicles subject to emissions inspections under subsection C of § 46.2-1178, the cost limitations on repairs shall be a base amount of \$450 per vehicle using 1990, or a later date if allowed by federal regulations and approved by the Board, as the base year and annually adjusted by the Consumer Price Index. The Board may phase in waiver amounts.

3. Repairs credited toward this waiver must be done by a repair technician certified in accordance with § 46.2-1180. Repairs shall include parts and labor.

D. For the purposes of subsection A of this section, for motor vehicles subject to emissions inspections under subsection B of § 46.2-1178, the cost limitations on repairs under the emissions inspection program, including parts and labor but excluding costs of repairs covered by warranties, shall be:

- 1. \$75 for pre-1981 vehicles; and
- 2. \$200 for 1981 and newer vehicles.

CHAPTER 17.1:1.
MOTOR VEHICLE GLASS ACT.

§ 59.1-207.6:1. Title of chapter.
This chapter may be cited as the Motor Vehicle Glass Act.

§ 59.1-207.6:2. Definitions.
As used in this chapter, unless the context requires a different meaning:
"Advanced driver assistance system" means any motor vehicle electronic safety system, as outlined in the most recent version of SAE International's SAE J3016 Levels of Driving Automation, that is designed to support the driver and motor vehicle in a manner intended to:

- 1. Increase motor vehicle safety; and
- 2. Reduce losses associated with motor vehicle crashes.

"Customer" means a person who provides consideration to a motor vehicle glass repair shop for the repair or replacement of damaged motor vehicle glass.

"Motor vehicle" means the same as that term is defined in § 59.1-207.2.

"Motor vehicle glass" means the glass and non-glass parts associated with the replacement of the glass used in the windshield, doors, or windows of a motor vehicle in the Commonwealth.

"Motor vehicle glass repair shop" means any person, including the person's employees and agents, that for consideration engages in the repair or replacement of damaged motor vehicle glass.

57 "Notice" means a direct written communication, including verifiable text, email, or APP-based
58 messaging, that is easily accessible by the consumer.

59 "Repair or replacement of damaged motor vehicle glass" includes (i) inspecting, repairing, restoring, or
60 replacing damaged motor vehicle glass and (ii) calibrating or recalibrating an advanced driver assistance
61 system when an incident requires the replacement of damaged motor vehicle glass.

62 **§ 59.1-207.6:3. Advanced driver assistance systems.**

63 A. Prior to providing service to a customer for a repair or replacement of damaged motor vehicle glass, a
64 motor vehicle glass repair shop shall notify the customer of each of the following:

65 1. Whether the motor vehicle has an advanced driver assistance system; and

66 2. If the motor vehicle has an advanced driver assistance system:

67 a. Whether calibration or recalibration of the motor vehicle's advanced driver assistance system is needed
68 after a windshield repair or replacement as recommended by the vehicle manufacturer;

69 b. Whether the motor vehicle glass repair shop intends to calibrate or recalibrate the advanced driver
70 assistance system in a manner that meets the motor vehicle manufacturer's specifications; and

71 c. If the motor vehicle glass repair shop is not capable of performing or does not intend to perform such
72 calibration or recalibration, that the motor vehicle should be taken to the vehicle manufacturer's certified
73 dealership or a qualified specialist capable of performing the calibration or recalibration.

74 B. If calibration or recalibration of the motor vehicle's advanced driver assistance system is performed,
75 the motor vehicle glass repair shop shall provide written notice to the customer:

76 1. Of whether the calibration or recalibration was successful; and

77 2. If the calibration or recalibration was not successful, that the motor vehicle should be taken to the
78 vehicle manufacturer's certified dealership or a qualified specialist capable of performing the calibration or
79 recalibration.

80 **§ 59.1-207.6:4. Enforcement.**

81 Any violation of the provisions of this chapter shall be subject to enforcement by the Attorney General
82 under the authority and procedures applicable to violations of the Virginia Consumer Protection Act
83 (§ 59.1-196 et seq.).

84 **2. That § 59.1-207.5:1 of the Code of Virginia is repealed.**