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February 9, 2022

To: The Honorable Delores G. Kelley
Chair, Finance Committee

From: Steven M. Sakamoto-Wengel
Consumer Protection Counsel for Regulation, Legislation and Policy

Re: Senate Bill 428 – Consumer Protection - Automotive Glass Repair or Replacement -
Advanced Driver Assistance System Recalibration (SUPPORT)

The Consumer Protection Division of the Office of the Attorney General supports Senate Bill 428, sponsored by Senator West, which would help to ensure that consumers who need to have their windshields that contain advanced safety features replaced are fully informed about the nature and cost of those repairs. New cars now contain safety features that are designed to help prevent accidents. Many of those safety features involve sensors in the windshield or other auto glass that must be accurately calibrated in order to work properly and that significantly increase the cost and technical skills necessary to properly replace the auto glass. Failure to properly calibrate the safety features can result in accidents if drivers rely upon improperly functioning features. *See, e.g.*, U.S. Regulator Questions Tesla on the Lack of a Recall After an Update to Autopilot, <https://www.nytimes.com/2021/10/13/business/tesla-autopilot-recall-safety.html>

Senate Bill 428 would require an automotive repair facility to:

- Inform the customer whether auto glass replacement will require that an advanced driver assistance system be recalibrated;
- Provide an itemized description of the work to be performed; and
- Disclose to the customer the amount of the repair cost that will be covered by the customer's insurance and prohibit the repair facility from representing that the repair will be fully paid by insurance if that is not the case.

Consistent with the Division's support for a consumer's right to have repairs performed at the facility of their choosing, Senate Bill 428 would require the automotive repair facility to meet or exceed the manufacturer's specifications for recalibrating the safety system, but would not require the facility to use the manufacturer's glass, tools, or repair methods. And the bill would require the repair facility to inform the customer if the facility cannot or has not been able to recalibrate the auto glass and direct the customer to a facility that is capable of doing so properly.

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Accordingly, the Consumer Protection Division believes that Senate Bill 428 will help to ensure that consumers are informed about the nature and cost of automobile glass repairs that involve advance safety features and respectfully requests that the Senate Finance Committee return a favorable report.

cc: The Honorable Christopher West
Members, Finance Committee