

**SB 793\_SAFELITE\_FAV.pdf**

Uploaded by: Bryson Popham

Position: FAV

## Bryson F. Popham, P.A.

Bryson F. Popham, Esq.

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March 7, 2023

The Honorable Melony Griffith  
Chair, Senate Finance Committee  
3 East, Miller Senate Office Building  
Annapolis, MD 21401

RE: Senate Bill 793 - Consumer Protection - Motor Vehicle Glass Repair or Replacement - Advanced Driver Assistance System Recalibration - FAVORABLE

Dear Chair Griffith and Members of the Senate Finance Committee,

I represent Safelite, the leading provider of vehicle glass repair, replacement and recalibration services in the United States, including Maryland. Safelite supports Senate Bill 793 - Consumer Protection - Consumer Protection - Motor Vehicle Glass Repair or Replacement - Advanced Driver Assistance System Recalibration

Senate Bill 793 is the next step in a process that began two years ago with the passage of House Bill 519. That legislation, for the first time, established a standard under Maryland law for the minimum requirements of automatic safety glass, by adopting a universal industry standard for that product.

Why is this important? Quite simply, virtually every automobile coming off an assembly line today has a windshield, and perhaps other automotive safety glass as well, that contains cameras, sensors and other electronic devices that are essential to the safe operation of that vehicle. These devices are collectively known as "ADAS," or Advance Drive Assistance Systems.

In the event of a damaged windshield, a replacement must be "recalibrated," which means that its ADAS devices must be precisely adjusted so that the safety systems built into the automobile function properly. If this recalibration process is not performed, or is performed incorrectly, there will be a serious, perhaps life-threatening condition existing for any occupant of that vehicle.

Senate Bill 793 sets forth the necessary consumer notifications about recalibration when replacing a windshield or other automotive safety glass. It places the responsibility where it belongs: on the glass shop that is offering to perform the repair or replacement of the automobile safety glass. As noted above, Senate Bill 793 is a necessary next step in protecting Maryland citizens, whose vehicles increasingly are equipped with ADAS and who need to know the importance of a properly calibrated and functioning ADAS network of devices.

We respectfully request a favorable report on Senate Bill 793.

Very truly yours,



Bryson F. Popham

cc: Scot Zajic, Safelite, VP Legislative Affairs

**SB 793 West FAV.pdf**

Uploaded by: Christopher West

Position: FAV



THE SENATE OF MARYLAND  
ANNAPOLIS, MARYLAND 21401

March 8<sup>th</sup>, 2023

The Senate Finance Committee  
The Honorable Melony Griffith  
3 East Miller Senate Building  
Annapolis, Maryland 21401

**Re: SB - 793 – Consumer Protection - Automotive Glass Repair or Replacement -  
Advanced Driver Assistance System Recalibration**

Dear Chairwoman Griffith and members of the Committee,

Senate Bill 793 deals with technological changes in the automotive industry, specifically the fact that automobiles are increasingly integrated with computer systems. This bill deals with windshields and other automotive safety glass and a process known as “recalibration.”

The merits of the bill are implemented the moment the windshield is damaged or needs to be replaced. Windshields in most late model cars today are filled with cameras and other sensors, all of which are precisely calibrated to function properly. Collectively, these features are known as Advanced Driver Assistance Systems (ADAS). It is necessary to recalibrate the ADAS on the entire vehicle, in order that the vehicle may perform in accordance with manufacturers’ specifications.

When a windshield in a late model car requires repair or replacement, it isn’t like the old days when a glass repair shop could come to your house and install a new windshield with your car in the driveway. Today, the cars must be taken to a facility with, for example, completely level floors. More important, that facility must be equipped to recalibrate the cameras and sensors that are in the windshield. Without precise recalibration, the systems that notify the driver of potential hazards may malfunction.

Senate Bill 793 imposes a set of consumer notifications about the need for proper recalibration in the replacement of automobile safety glass. The bill requires a glass shop, before it begins repairs, to 1) inform the consumer if ADAS recalibration is required and 2) provide the consumer with a statement that the work to be performed will meet manufacturer specifications. The bill also prohibits charges for services that are not performed OR ARE NOT SUCCESSFULLY COMPLETED.

Any violation of this section by a glass shop shall be considered an unfair trade practice under Title 13 of the Commercial Law Article. Title 13 acts as the “teeth” of the bill

The cross-file, HB920 has been heard in House Economic Matters, and I am pleased to advise the Committee that the difference between the positions of the AG’s office and the independent glass shops last year is not an issue. The glass shops are supporting this bill, and the

AG simply submitted a letter of information, but no amendments, to place its continuing concern about the unrelated issues of the cost of repairs and insurance coverage on the record.

In sum, the bill imposes necessary, commonsense consumer notification requirements for a vital service.

Senate Bill 793 is simply the next step in the process of appropriate regulation of this important subject.

**MD 2023 NAMIC letter SB793 Auto glass.pdf**

Uploaded by: Matt Overturf

Position: FAV

**SENATE FINANCE COMMITTEE**

**MARYLAND SB 793: Consumer Protection – Motor Vehicle Glass Repair or Replacement  
– Advanced Driver Assistance System Recalibration**

**FAVORABLE**

**March 8, 2023**

Chairwoman Griffith and Members of the Senate Finance Committee:

On behalf of the National Association of Mutual Insurance Companies<sup>1</sup> (NAMIC) thank you for the opportunity to submit this statement in support of Senate Bill 793.

NAMIC consists of more than 1,500 member companies, including seven of the top 10 property/casualty insurers in the United States. The association supports local and regional mutual insurance companies on main streets across America as well as many of the country's largest national insurers.

Senate Bill 793 will establish consumer notifications and protections related to the repair or replacement and calibration of motor vehicle glass on vehicles that are equipped with an advanced driver assistance system. Vehicles on the road today are increasingly reliant on computers, are connected to the internet and equipped with advanced safety equipment to help improve roadway safety. NAMIC has been a long-time advocate for highway safety as well as safe, quality, and cost-effective repairs with appropriate consumer notifications and protections.

For these reasons, NAMIC requests a favorable report on Senate Bill 793

Thank you,



Matt Overturf, Regional Vice President  
Ohio Valley/Mid-Atlantic Region  
[moyverturf@namic.org](mailto:moyverturf@namic.org)

<sup>1</sup> NAMIC member companies write \$357 billion in annual premiums and represent 69 percent of homeowners, 56 percent of automobile, and 31 percent of the business insurance markets. Through its advocacy programs NAMIC promotes public policy solutions that benefit member companies and the policyholders they serve and fosters greater understanding and recognition of the unique alignment of interests between management and policyholders of mutual companies.

**SB 793 APCIA GLASS SUPPORT 03082023.pdf**

Uploaded by: Nancy Egan

Position: FAV





**Testimony of**

**American Property Casualty Insurance Association (APCIA)**

**Senate Finance Committee**

**SB 793 Consumer Protection - Motor Vehicle Glass Repair or Replacement - Advanced Driver Assistance System Recalibration**

**March 8, 2023**

**Support**

The American Property Casualty Insurance Association (APCIA) is the primary national trade association for home, auto, and business insurers. Our members write approximately 55.7 percent of all private passenger auto insurance sold in Maryland and 82.7% of all commercial auto insurance sold in Maryland. APCIA respectfully supports Senate Bill 793.

Senate Bill 793 will establish standards for safety and transparency for auto owners regarding vehicles equipped with Advanced Driver Assistance Systems. APCIA fully supports safe, quality, and cost-effective repairs. The bill provides for a disclosure to the consumer regarding necessary calibration of vehicles equipped with automated driver assistance systems (ADAS), which is in keeping with our position.

For all these reasons, the APCIA urges the Committee to provide a favorable report on Senate Bill 793.

Nancy J. Egan,

State Government Relations Counsel, DC, DE, MD, VA, WV

[Nancy.egan@APCIA.org](mailto:Nancy.egan@APCIA.org) Cell: 443-841-4174

# **Maryland MVA AGRSS Update.pdf**

Uploaded by: Seth Maiman

Position: FAV

# **AUTO GLASS SAFETY COUNCIL™**

December 15, 2022

Ms. Christine Nizer, Administrator  
MDOT MVA  
6601 Ritchie Highway, N.E.  
Room 200 Glen Burnie, MD 21062

Re: COMAR 11.13.12

Dear Administrator Nizer:

This is to notify the Maryland Motor Vehicle Administration that updates have been made to the Automotive Glass Replacement Safety Standard (AGRSS Standard) and to recommend that the Maryland Motor Vehicle Administration promulgate revisions to COMAR 11.13.12 Safety Glass Replacement Standards to reflect those revisions.

The Auto Glass Safety Council (AGSC) is a non-profit organization dedicated to the safe repair and replacement of auto glass. Members of the AGSC are auto glass service companies, glass manufacturers, suppliers, insurers, associations, and safety groups that voluntarily agree to adhere to the AGRSS standard in the performance of auto glass replacement and repair services, employ AGSC-certified technicians, and consent to periodic extensive, independent third-party audits to ensure on-going compliance with the AGRSS Standard.

In 1999, the AGSC led the development of the AGRSS Standard, a national voluntary industry standard governing vehicle glass replacement, under the American National Standards Institute (ANSI). The AGRSS Standard, approved by ANSI, was updated in 2002, 2015, 2018, and now again in 2022. The 2022 AGRSS Standard update addresses complex calibration-related issues resulting from the advent of Advanced Driver Assistance Systems (ADAS) in recent model-year vehicles.

In 2021 the Maryland legislature enacted HB 519 (Ch. 461, Acts of 2021), which directed the Maryland Motor Vehicle Administration to “adopt regulations establishing standards and requirements for aftermarket safety glass replacement that ... meet or exceed the requirements of the American National Standards Institute/Auto Glass Safety Council/Automotive Glass Replacement Safety Standard”. The MVA thus promulgated a regulation, COMAR 11.13.12

Safety Glass Replacement Standards, which became effective on March 7, 2022. The regulation implements the ANSI/AGSC/AGRSS (or AGRSS Standard).

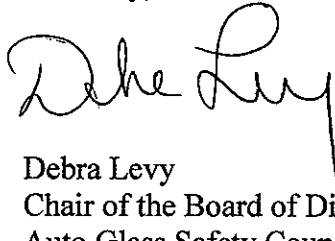
As the language of COMAR 11.13.12 substantially reflected the language of the AGRSS Standard at the time of promulgation, we urge the MVA to review the latest revision and propose a revised regulation based on those revisions. AGSC stands ready to provide assistance and necessary technical support to the MVA for its review.

During the comment period for 11.13.12, the issue of whether the regulation should simply refer to and incorporate the AGRSS Standard or should recite the language of the AGRSS Standard was discussed at length. It was determined that the State could not simply incorporate the AGRSS Standard, an industry living standard subject to revision as technology evolves, into state law. The situation at hand, where the AGRSS Standard is updated, and the State should move forward in considering that update for adoption into the state regulation, is the logical and anticipated result of being unable to incorporate the standard into state law.

It is also worth noting on the topic of calibration that some of the changes in the standard are like provisions included in legislation (SB 428/HB 1460) that was considered in the General Assembly in 2022.

Thank you for your consideration and your continued commitment to safety. If you have any questions, please contact me or Seth Maiman, Public Affairs Director, at [smaiman@agsc.org](mailto:smaiman@agsc.org).

Sincerely,



Debra Levy  
Chair of the Board of Directors  
Auto Glass Safety Council

cc: (electronically)

Mr. Phillip Dacey, MVA

Ms. Tracey Sheffield, MVA

Chairman Kumar Barve, House Environmental Matters Committee

Ms. Kathy Dunn, House Environmental Matters Committee

Delegate David Fraser-Hidalgo

Delegate Courtney Watson

Senator Chris West

Mr. Patrick Carlson, Senate Finance Committee

**Ext. Comm. - Testimony - 2023 - Maryland SB 793 -**

Uploaded by: Joshua Fisher

Position: UNF



February 27, 2023

The Honorable Melony Griffith  
Chair, Senate Finance Committee  
Annapolis, Maryland 21401

**RE: SB 793 - Motor Vehicle Glass Repair or Replacement**  
**Position: Unfavorable**

Dear Chair Griffith:

On behalf of the Alliance for Automotive Innovation (Auto Innovators), I am writing express our opposition to SB 793, which lacks needed protections for consumers.

From the manufacturers producing most vehicles sold in the U.S. to autonomous vehicle innovators to equipment suppliers, battery producers and semiconductor makers – Alliance for Automotive Innovation represents the full auto industry, a sector supporting 10 million American jobs and five percent of the economy.

Today's vehicles are considerably more advanced than vehicles of only a few years ago. To increase occupant and pedestrian safety, vehicle sensors like radar and high-speed cameras are used in many new advanced driver safety systems. These examples, combined with other advancements in vehicle technologies, result in an increasingly complex automobile.

**SB 793 Lacks Needed Consumer Protections**

As introduced, SB 793 lacks consumer protections we think are crucial. First, SB 793 does not require a glass facility to provide a written statement to a consumer about the repair and recalibration. SB 793 mentions informing the customer and providing a "statement" about the type of work to be performed. However, nowhere is it clear that these communications must be in writing. It is not difficult to imagine the disputes that will arise between customers and glass facilities in the absence of clear written statements from the glass facility to the consumer explicitly stating was, and was not, done.

SB 793 provides that a glass facility "may not charge for services that are not performed or successfully completed." This permissive language reads to allow customers to be billed by a glass facility even if the "services are not performed or successfully completed."

SB 793 also provides that "a motor vehicle safety glass facility shall inform the customer if recalibration of an advanced driver assistance system is required and is not performed or successfully completed." Taken together with the language mentioned above, SB 793 seems to permit a glass facility to not perform the recalibration of the advanced driver assistance system, still charge the customer, and only provide a verbal statement to the consumer about whether the work was completed or not. We think this is completely inadequate.

We strongly believe that proper calibration, as required per the motor vehicle manufacturer's repair procedures is vital to the performance and maintenance of a vehicle's safety system and should not be overlooked.

Thank you in advance for your consideration of our views. For more information, please contact our local representative, Bill Kress, at (410) 375-8548.

Respectfully submitted,

A handwritten signature in black ink that reads "Josh Fisher". The signature is written in a cursive style with a prominent flourish at the end of the name.

Josh Fisher  
Senior Director, State Government Affairs

# **SB 793 - Auto Glass - Information.pdf**

Uploaded by: Steven Sakamoto-Wengel

Position: INFO



**ANTHONY G. BROWN**  
*Attorney General*

**CANDACE MCLAREN LANHAM**  
*Chief of Staff*

**CAROLYN QUATTROCKI**  
*Deputy Attorney General*



**WILLIAM D. GRUHN**  
*Chief*  
Consumer Protection Division

Writer's Fax No.

**STATE OF MARYLAND**  
**OFFICE OF THE ATTORNEY GENERAL**  
**CONSUMER PROTECTION DIVISION**

Writer's Direct Dial No.  
(410) 576-6307

March 8, 2023

To: The Honorable Melony Griffith, Chair  
Finance Committee

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

Re: Senate Bill 793 – Consumer Protection – Motor Vehicle Glass Repair or Replacement -  
Driver Assistance System Recalibration (LETTER OF INFORMATION)

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The Consumer Protection Division of the Office of the Attorney General submits the following letter of information concerning Senate Bill 793, sponsored by Senators West, Feldman, Beidle, and Klausmeier, which would help to inform consumers who need to have their windshields that contain advanced safety features replaced about the nature 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.<sup>1</sup>

Senate Bill 793 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 a statement that the work to be performed will meet or exceed original equipment manufacturer specifications; and
- Disclose to the customer if the recalibration was not performed or successfully completed.

Each of these disclosures is a material fact that would need to be disclosed to consumers even if the disclosure was not specified in the bill. Section 13-301(3) of the Consumer Protection Act,

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<sup>1</sup> 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>.

Md. Code Ann., Com. Law § 13-301(3) requires disclosure of material facts to consumers if failure to disclose those facts would deceive or tend to deceive consumers. “An omission is material if a significant number of unsophisticated consumers would find that information important in determining a course of action.”<sup>2</sup>

Last session, in addition to the above disclosures, Senate Bill 428/House Bill 1460 would have required the automotive repair facility to also inform consumers whether the auto glass repair or replacement and recalibration would be covered by insurance and, if so, the amount the insurer would pay. However, this year’s legislation is silent as to the cost of the repair and recalibration to the consumer and whether any or all of those costs would be covered by the consumer’s insurance.

The Consumer Protection Division believes information about cost and insurance coverage would also be important to consumers in determining a course of action as to whether and where to have automobile glass repaired and recalibrated and, therefore, would be a material fact that the Consumer Protection Act would require to be disclosed to consumers whether or not expressly required in Senate Bill 793.<sup>3</sup>

Accordingly, the Consumer Protection Division requests that the Finance Committee take the above information into consideration as it reviews Senate Bill 793.

cc: The Honorable Chris West  
The Honorable Brian J. Feldman  
The Honorable Pamela Beidle  
The Honorable Katherine Klausmeier  
Members, Finance Committee

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<sup>2</sup> *Green v. H & R Block*, 355 Md. 488, 524 (1999).

<sup>3</sup> *See State v. Cottman Transmissions Systems*, 86 Md. App. 714, 725 (1991).