



Washington Metropolitan Auto Body Association

Representing Maryland Collision Repairers and the Customers they serve.

WMABA OPPOSITION TO SB789:

Why the State Cannot Regulate What It Does Not Understand

While we believe this is a well-intentioned effort, the reality is that SB 789 is proposing to regulate a highly specialized, rapidly evolving technological field without the technical infrastructure, expert staffing, or budget to do so effectively.

By passing this bill, the government is assuming a "duty of care" it cannot fulfill, creating a dangerous and expensive disconnect between the law and the workshop floor.

1. The Fallacy of the "Instant Expert" Regulator

For the Motor Vehicle Administration (MVA) to license a technician or repair facility for ADAS (Advanced Driver Assistance Systems) recalibration, the MVA must first be an expert in ADAS.

- The Argument: There is currently no "Department of Auto Collision Repair or Calibration" within the MVA. To properly enforce Section 15-1103 (Technician Licensure), the state would need to hire Master Technicians away from the private sector—at salaries the state likely cannot match—to develop and grade licensing protocols.
- **The Point: If the state cannot provide an expert to oversee the experts, the license becomes a meaningless "rubber stamp" that adds cost to the shop without adding any actual safety verification for the consumer.**

2. The Speed of Technology vs. The Slowness of Bureaucracy

Modern vehicle technology changes every six months, or less. New sensor arrays, LIDAR systems, and camera elements are introduced with every new model year.

- The Argument: State regulations are notoriously slow to update. By the time a state agency drafts a regulation regarding a specific calibration "tool" or "environment" (Section 15-1104), that technology may already be obsolete.
- **The Point: Government oversight will inevitably be 2–3 years behind the OEMs.** By mandating that shops follow specific state-regulated "standards," the government may be preventing shops from using the newest, safest, and most accurate repair methods simply because those methods haven't been "approved" by the MVA board yet.

3. The Unfunded Mandate of "Heavy Oversight"

To ensure compliance with "controlled environments" and "OEM-specified tools," the state would need to conduct physical inspections of every collision center in Maryland.

- The Argument: Effective oversight requires more than a clerk checking a box; it requires an inspector who understands floor-leveling tolerances, ambient lighting interference, and target-distance mathematics.
- **The Point: Unless the state is prepared to hire a fleet of high-tech "Calibration Inspectors" to roam the state, the law is unenforceable.** If the state *does* hire them, the licensing fees and fines imposed on shops will have to be astronomical to fund this new wing of government, which will directly result in higher repair bills for Maryland drivers.

4. The "Blind Leading the Blind" Liability

The bill grants the power to penalize a shop \$5,000 for a violation of technical standards.

- The Argument: When a government agency without technical expertise adjudicates a technical dispute, it is a violation of due process. How can an MVA administrative judge decide if a "static calibration" was performed correctly on a 2026 electric vehicle if the judge has never seen the car's proprietary software?
- **The Point: This bill puts the "power of the sword" in the hands of bureaucrats who don't know the difference between a radar sensor and a parking sensor.** It creates a "guilty until proven innocent" environment where shops are at the mercy of non-expert oversight.

Conclusion for Legislators:

The State of Maryland is not a car manufacturer, nor is it a collision repair facility. By passing SB 789, the government is pretending to be an expert in a field where it has zero technical staff and zero technical infrastructure.

This legislation doesn't create safety; it creates a **regulatory facade** that will be managed by clerks, funded by struggling small businesses, and ultimately failed by the rapid pace of automotive innovation. **You cannot regulate what you do not understand.**

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