



January 30, 2023

The Honorable Suzanne Geist
Nebraska State Legislature
Transportation and Telecommunications Committee
1445 K Street
Lincoln, NE 68508

Transportation and Telecommunications Committee: Legislative Bill 782

Dear Senator Geist,

We are writing to oppose this legislation. We believe that it will result in the limitation of certified, as well as other types of replacement automobile parts, which in turn will have a significant negative impact on consumers. High inflation and other economic stressors continue to create huge financial challenges for the people who can least afford to get their vehicles repaired. With so many people struggling to weather multiple economic impacts, it is critical that consumers continue to have their choice of replacement parts for safe and cost-effective repairs.

The Certified Automotive Parts Association, founded in 1987, is the nation's only independent, non-profit certification organization for automotive crash parts whose sole purpose is to ensure that both consumers and the industry have the means to identify high-quality replacement auto parts via the CAPA Quality Seal. CAPA is an American National Standards Institute (ANSI)-accredited standards developer for competitive crash repair parts.

Our comprehensive testing program is a valuable public service that provides consumers, auto body shops, parts distributors, and insurance adjusters with the reliable, objective means they need to identify quality replacement parts. Parts that will fit, perform, last, and be equivalent to the originals. CAPA Certification is recognized by government regulators as an assurance of quality.

Consumers remain under increasing pressure to have their vehicles repaired only by the manufacturer of their vehicles; to limit their choice of replacement parts controlled by the vehicle manufacturer under the auspices of "following OEM repair procedures"; to have their motor vehicle data be provided solely to the manufacturer of their vehicle without their understanding or consent. These types of monopolistic behaviours inhibit competition that ultimately benefits consumers.

Areas of CAPA concern include the following:

Section 5.

"Original equipment manufacturer part means a part for a motor vehicle that is manufactured by a manufacturer of the motor vehicle."

Section 6.

“Original equipment manufacturer procedure means the best practice to provide consumer care through manuals and guidance provided by the manufacturer of the motor vehicle receiving such consumer care.”

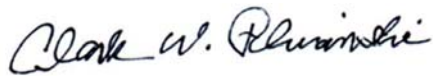
Section 7.

“Any person performing consumer care shall follow the ~~estimating system as commonly accepted and used by insurance companies for guidelines~~ original equipment manufacturer procedures for all repairs to motor vehicles except for use of original equipment manufacturer parts.”

We are concerned with the unintended effects that the proposed legislation will have on certified, as well as other types of automobile replacement parts. This includes significant adverse economic impact on: consumers, automobile repair providers, business and industry. Vehicles need timely repair and maintenance. Any delays, or cost increases, to safe repair and maintenance will have negative consequences.

As CAPA’s membership is composed of distributors, insurers, collision repair businesses, and consumer organizations, we strongly oppose any proposed legislation by the Committee that would impose barriers on automotive parts and encourage that which would support the aftermarket auto parts industry’s ability to provide quality service and repairs as an equivalent to the manufacturers of vehicles.

Respectfully submitted,



Clark Plucinski, Chairman of CAPA