SENATE BILL REPORT
SB 5871

As of January 9, 2026

Title: An act relating to motor vehicle glass repair claims.

Brief Description: Regulating motor vehicle glass repair claims.

Sponsors: Senator Cortes.

Brief History:
Committee Activity: Business, Trade & Economic Development: 1/14/26.

Brief Summary of Bill

- Prohibits the assignment of an insured's duties, rights, or benefits under a property and casualty insurance policy.
- Specifies duties, conditions, and requirements for, and prohibited actions by, motor vehicle glass repair shops.
- Specifies an insured's right to choose a motor vehicle glass repair shop when making a first-party insurance claim.
- Authorizes the Office of the Insurance Commissioner to adopt rules.

SENATE COMMITTEE ON BUSINESS, TRADE & ECONOMIC DEVELOPMENT

Staff: John Kim (786-7453)

Background: Assignment of Benefits Under a Property and Casualty Insurance Policy. According to the National Association of Insurance Commissioners, an assignment of benefits (AOB) is an agreement signed by a policyholder that allows a third party, such as a repair company, to act on behalf of the insured and seek payment from the insurer. An AOB allows the third party to deal directly with the insurer in negotiating repairs and issuing payment directly to the third party without the policyholder's involvement. An AOB also

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assigns the policyholder's rights and benefits in resolving a claim to the third party, including the right to sue after a denial and mediate the claim.

Current state law does not specifically address the assignment of benefits under property and casualty insurance policies.

Auto Glass Repair Facilities. A 2007 state law specifies that a person has the right to choose any glass repair facility for the repair of a loss relating to motor vehicle glass. An insurer or its third-party administrator that wholly or partially owns an auto glass repair facility processing an auto glass claim must disclose specified information to the person making the claim of loss and post a notice in each of its facilities.

Summary of Bill: Prohibition of the Assignment of Duties, Rights, or Benefits Under a Property and Casualty Insurance Policy. An insured under a property and casualty insurance policy may not, either prior to or after a claimed or covered loss, assign, delegate, or otherwise transfer, in whole or in part, to any other person, the insured's duties under the policy or the insured's rights or benefits under the policy. Any contract entered in violation of this prohibition is void and unenforceable. An insured is not prohibited from authorizing or directing payment to, or paying, a person for services, materials, or any other thing which may be, or is, covered under an insurance policy.

Rights or benefits under the policy is defined to include the insured's right to receive any post loss benefits or payments available or payable under the policy including, but not limited to, claim payments.

Duties of Motor Vehicle Glass Repair Shops. A motor vehicle glass repair shop is defined as any person, including the person's employees and agents, that for consideration engages in the repair or replacement of damaged motor vehicle glass. Motor vehicle glass is defined as the glass and non-glass parts associated with the replacement of the glass used in the windshield, doors, or windows of a motor vehicle. Repair or replacement is defined to include inspecting, repairing, restoring, or replacing damaged motor vehicle glass; and calibrating or recalibrating an advanced driver assistance system when an incident requires the replacement of damaged motor vehicle glass.

Duties of Motor Vehicle Glass Repair Shops Relating to a Motor Vehicle with an Advanced Driver Assistance System. Before providing service to an insured for the repair or replacement of damaged motor vehicle glass, a motor vehicle glass repair shop must notify the insured of whether the motor vehicle has an advanced driver assistance system.

An advanced driver assistance system is defined as any motor vehicle electronic safety system, as outlined in the most recent version of the Society of Automotive Engineers International's (SAE International) SAE International J3016 Levels of Driving Automation, that is designed to support the driver and motor vehicle in a manner intended to increase motor vehicle safety and reduce losses associated with motor vehicle crashes.

If the vehicle has such a system, the shop must further notify the insured of the following:

- whether calibration or recalibration of the motor vehicle's advanced driver assistance system is needed after a windshield repair or replacement as recommended by the vehicle manufacturer;
- whether the motor vehicle glass repair shop intends to calibrate or recalibrate the advanced driver assistance system in a manner that meets the motor vehicle manufacturer's specifications; and
- if the motor vehicle glass repair shop is not capable of performing or does not intend to perform a calibration or recalibration, that the motor vehicle should be taken to the vehicle manufacturer's certified dealership or a qualified specialist capable of performing the calibration or recalibration.

If calibration or recalibration of the motor vehicle's advanced driver assistance system is performed, the motor vehicle glass repair shop must provide written notice to the insured:

- whether the calibration or recalibration was successful; and
- if the calibration or recalibration was not successful, that:
    1. the motor vehicle should be taken to the vehicle manufacturer's certified dealership or a qualified specialist capable of performing the calibration or recalibration; and
    2. the insured should not rely on the advanced driver assistance system until it has been successfully calibrated or recalibrated by the vehicle manufacturer's certified dealership or a qualified specialist capable of performing the calibration or recalibration.

Notice is defined as direct written communications easily accessible by the consumer, including verifiable text, email, or app-based messaging.

Other Conditions and Requirements for Motor Vehicle Glass Repair Shops. A motor vehicle glass repair shop may not contract with a person for the repair or replacement of damaged motor vehicle glass to be paid for under a first-party insurance policy until all of the following are satisfied:

- the person has made a first-party claim for the repair or replacement of damaged motor vehicle glass under a motor vehicle insurance policy;
- the motor vehicle glass repair shop has received a claim or referral number for the claim; and
- the motor vehicle glass repair shop complies with the above notice requirements with respect to any advanced driver assistance system.

A motor vehicle glass repair shop must:

- provide the insured a good faith estimate of the fees and costs anticipated to be charged to the insured by the motor vehicle glass repair shop for the repair or replacement of damaged motor vehicle glass;
- before performing service, provide the insured an updated estimate; and

- not charge more than the reasonable and customary fees and costs to an insured for a repair or replacement of damaged motor vehicle glass and any associated calibration or recalibration of the motor vehicle's advanced driver assistance system as recommended by the vehicle manufacturer's specifications.

Upon completion of a repair or replacement of damaged motor vehicle glass, a motor vehicle glass repair shop must provide the insured with an itemized invoice, and upon payment, a receipt; and written notice that states whether or not the advanced driver assistance system was successfully calibrated or recalibrated. Any required notice or invoice must be issued in the same size font as the invoice, estimate, or receipt.

Prohibited Actions by Motor Vehicle Glass Repair Shops. A motor vehicle glass repair shop, or any other person who is compensated for the solicitation of insurance claims, may not offer a rebate, gift, gift card, cash, coupon, fee, prize, bonus, payment, incentive, inducement, or any other thing of value to any insured, insurance producer, or other person in exchange for directing or making a claim under a motor vehicle insurance policy for a repair or replacement of damaged motor vehicle glass.

An insurance producer is defined as an individual or business entity required to be licensed under the laws of this state to sell, solicit, or negotiate insurance or annuity contracts and includes an agent, a managing general agent, a surplus line broker, a reinsurance intermediary broker and manager, a rental vehicle agent and rental vehicle agent managing employee, and a consultant.

A motor vehicle glass repair shop may not do any of the following:

- charge higher fees and costs to an insured for a repair or replacement of damaged motor vehicle glass than are reasonable and customarily charged in this state;
- submit false, misleading, or incomplete documentation or information to an insured or an insured's insurer, including any agent of the insured or insurer, for a repair or replacement of damaged motor vehicle glass;
- with respect to an insured's claim or potential claim for a repair or replacement of damaged motor vehicle glass, do the following, which results, or would result, in a higher insurance payment or a change of insurance coverage status:
    1. indicate that work was performed in a geographical area that was not the geographical area where the work occurred; or
    2. advise an insured to falsify the date of damage;
- falsely sign a work order or other insurance-related form relating to an insured's claim, or potential claim, for a repair or replacement of damaged motor vehicle glass;
- misrepresent to an insured or the insured's insurer, including any agent of the insured or insurer, the price of a proposed repair or replacement of damaged motor vehicle glass;
- state that an insured's insurer has approved a repair or replacement of damaged motor vehicle glass without verifying coverage directly with, or obtaining approval directly from, the insurer or the insurer's agent, and obtaining confirmation of the coverage or

approval by facsimile, e-mail, or other written or recorded communication;
- state that a repair or replacement of damaged motor vehicle glass will be paid for entirely by an insurer and at no cost to the insured unless the coverage has been verified by the insurer or the insurer's agent; or
- with respect to an insured's claim or potential claim for a repair or replacement of damaged motor vehicle glass:
    1. damage, or encourage an insured to damage, the motor vehicle in order to increase the scope of the repair or replacement of damaged motor vehicle glass;
    2. perform work that is clearly and substantially beyond the level of work necessary to restore the motor vehicle to a safe pre-damaged condition in accordance with accepted or approved reasonable and customary techniques for the repair or replacement of damaged motor vehicle glass;
    3. misrepresent the motor vehicle glass repair shop's relationship to an insured or the insurer's agent; or
    4. perform any other act that constitutes fraud or misrepresentation.

There is a presumption that a motor vehicle glass repair shop is acting knowingly in the above acts if the motor vehicle glass repair shop engages in a regular and consistent pattern of such activity.

Insured's Choice of Motor Vehicle Glass Repair Shop. An insured that makes a first-party claim for a repair or replacement of damaged motor vehicle glass under a motor vehicle insurance policy may not be required to use a particular motor vehicle glass repair shop to receive claim payments or other benefits under the policy.

This does not:
- prohibit an insurer, insurance producer, insurance adjuster, or any person acting on behalf of an insurer, insurance producer, or insurance adjuster from recommending a motor vehicle glass repair shop or providing an explanation to an insured of the coverage available, and any applicable liability limit, under any insurance policy;
- prohibit an insurer from maintaining a network of motor vehicle glass repair shops, subject to current law requirements; or
- create a private cause of action.

Current requirements for insurer-owned facilities are preserved, except the term automobile glass repair facility is updated to motor vehicle glass repair shop.

Rulemaking by the Office of the Insurance Commissioner. The Office of the Insurance Commissioner may adopt implementing rules as necessary, including penalties applicable to motor vehicle glass repair shops.

Applicability. The provisions created by the bill apply to insurance policies issued or renewed on or after July 1, 2026.

Short Title. The chapter created by the bill may be known and cited as the Washington Motor Vehicle Glass Act.

Appropriation: None.

Fiscal Note: Requested on January 7, 2026.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: The bill takes effect on July 1, 2026.