

February 26, 2026

Chairman Brett Guthrie
House Committee on Energy and Commerce
2125 Rayburn House Office Building
Washington, D.C. 20515

Re: Formal Opposition to H.R. 6688 (The ADAS Functionality and Integrity Act)

The Independent Glass Association (IGA), representing thousands of independent automotive glass repair and replacement facilities nationwide, formally opposes H.R. 6688 in its current form. While the IGA supports the underlying goal of increasing access to OEM calibration data, the bill as written creates an unfunded federal mandate that shifts immense legal liability onto small businesses while providing no protection against the predatory reimbursement practices of insurance companies and Third-Party Administrators (TPAs).

Key Points of Opposition

1. The Creation of an Unfunded "Functional Test" Mandate

Section 2(a)(5) of H.R. 6688 requires the National Highway Traffic Safety Administration (NHTSA) to establish "confirmatory test protocols" and "performance validation metrics" following a repair.

- **The Burden:** This creates a secondary, time-consuming step on top of existing OEM recalibration procedures.
- **The Financial Risk:** Currently, TPAs and insurance companies are already "capping" payments for standard ADAS recalibrations at rates that barely cover equipment and labor. There is zero language in H.R. 6688 requiring insurers to reimburse shops for this federally mandated validation test. Without mandatory reimbursement, independent shops will be forced to perform this labor for free or risk federal non-compliance.

2. Disproportionate Liability Shift

The bill seeks to validate that a system is "properly functioning" even after a vehicle has been modified or repaired.

- **The "Pass-Fail" Trap:** If a shop performs a recalibration to OEM specifications (Static or Dynamic) and the scan tool returns a "Success" message, but the new federal "Functional Test" subsequently fails, the shop is placed in a legal "no-man's land."
- **The Consequence:** The shop cannot legally release the vehicle due to the failed functional test, yet the insurance company will likely refuse to pay for the diagnostic hours required to troubleshoot a system that "passed" its initial calibration. This leaves the independent shop owner legally responsible for a vehicle's entire ADAS ecosystem, which they did not manufacture or design.

3. Strengthening "Steering" and Anti-Competitive Practices

By introducing complex, standardized federal "scoring scales" (Section 2(d)), the bill inadvertently provides a new tool for TPAs to steer consumers.

- **The Risk:** Insurers may use "Fair" or "Poor" scores—even those resulting from software bugs or environmental factors outside the shop's control—to "blacklist" independent shops from their networks, further consolidating the market toward a few large, insurer-aligned glass giants.

Proposed Amendments

The IGA would consider withdrawing its opposition if the following protections are added to the bill:

- **Mandatory Reimbursement:** A provision requiring all federally regulated insurance entities to fully reimburse repair facilities for the labor and equipment costs associated with "Confirmatory Test Protocols" as a separate line item from recalibration.
- **Safe Harbor for Independent Facilities:** Language ensuring that if a technician follows the OEM-provided calibration procedure and receives a "Success" confirmation from the tool, the shop is held harmless for any subsequent "Functional Test" failures caused by OEM software or component defects.
- **Anti-Steering Protections:** A prohibition on insurance companies using federal "Performance Validation Metrics" as a basis for steering customers away from independent, non-affiliated repair facilities.

H.R. 6688 is a bill designed by and for the specialty equipment and modification industry, but its "one-size-fits-all" approach to ADAS testing will have a devastating impact on the auto glass repair and replacement industry. We urge the Committee to address the financial and liability gaps that threaten the survival of independent glass shops across America.

Respectfully submitted,

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