

January 23, 2026

**Bill:** HB312 – House Substitute (January 22, 2026)

**Patron:** Delegate Karen R. “Kacey” Carnegie

### **House Subcommittee on Labor and Commerce**

**Attn:** Chair Delegate Alfonso H. Lopez

**Delegates** Kelly K. Convirs-Fowler, Dan I. Helmer, Destiny LeVere Bolling, Michael B. Feggans, Chris S. Runion, Jason S. Ballard, Jeion A. Ward

### **Purpose of This Memo**

The Independent Glass Association (IGA) supports the House Substitute version of HB312 dated January 22, 2026, and appreciates the substantial revisions that removed provisions which would have negatively impacted consumers and independent repair businesses.

This memo outlines narrow, targeted guardrail amendments recommended by the IGA to ensure the remaining provisions, particularly those related to Advanced Driver Assistance Systems (ADAS), are implemented as intended and cannot be misused in ways that lead to steering, reimbursement leverage, or unintended market distortion.

### **Summary of IGA Support**

The IGA supports the House Substitute because it:

- Removes post-loss assignment (AOB) prohibitions
- Eliminates pricing controls and “prevailing rate” language
- Removes claim-number gatekeeping that fuels steering
- Refocuses the bill on transparency and safety disclosures

The remaining provisions are substantially improved and appropriate if accompanied by clear guardrails.

### **Recommended Guardrail Amendments**

#### **1. ADAS Disclosure Neutrality**

##### **Clarify Legislative Intent**

Add language confirming that ADAS disclosures required under § 59.1-207.6:3 are informational only and:

- Shall not be used to deny coverage
- Shall not be used to delay claim handling or payment
- Shall not be used to influence or restrict a consumer’s choice of repair facility

**Rationale:** Disclosures should enhance consumer understanding, not create leverage points in the claims process.

#### **2. Protection Against Steering by Referral**

##### **Clarify “Qualified Specialist”**

Clarify that references to a “qualified specialist” for calibration:

- Do not imply insurer-preferred, network-restricted, or dealership-only providers
- Preserve the consumer's unrestricted right to select any qualified provider

**Rationale:** Without clarification, referral language may be misinterpreted as an endorsement of limited provider classes.

### **3. No Reimbursement Leverage**

#### **Prevent Misuse in Claims Settlement**

Add language stating that compliance with ADAS disclosure requirements:

- May not be used as a basis for reimbursement reduction
- May not be used to challenge pricing unrelated to the repair performed
- May not be used as grounds for adverse claim determinations

**Rationale:** Safety disclosures should not become indirect reimbursement controls.

### **4. Implementation Clarity & Consistency**

#### **Encourage Standardized Guidance**

Authorize or encourage standardized disclosure language or implementation guidance to:

- Promote consistent compliance
- Reduce inadvertent violations
- Avoid uneven or selective enforcement

**Rationale:** Clear guidance benefits consumers, repairers, and regulators alike.

### **Conclusion**

The House Substitute version of HB312 represents meaningful progress and a constructive step forward. With the addition of these limited guardrail amendments, the bill can fully achieve its stated consumer-protection and safety objectives without unintended consequences.

The IGA appreciates the opportunity to collaborate and stands ready to provide technical assistance or draft amendment language as requested.

Respectfully submitted,

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