

## **Theory vs. Reality: Why H.R. 6688 Still Raises Serious Concerns for The Auto Glass Industry**

The Independent Glass Association (IGA) appreciates the Auto Glass Safety Council's (AGSC) effort to provide clarity regarding federal bill H.R. 6688, the "ADAS Functionality and Integrity Act."

AGSC's legal counsel correctly notes that the bill directs the National Highway Traffic Safety Administration (NHTSA) to develop guidelines and validation metrics, rather than direct regulatory mandates for repair shops. However, focusing solely on that technical distinction overlooks the far more important question: How will these guidelines actually be used once they exist?

In the real world of automotive repair and insurance claims administration, federal guidelines rarely remain "optional." They quickly become de facto standards used by state lawmakers, insurers, third-party administrators (TPAs), network operators, and litigators to determine how repairs must be performed and whether shops get paid.

For that reason, the IGA believes the current interpretation presented by AGSC significantly understates the potential impact this legislation could have on independent automotive glass repair businesses in the not to distant future.

### **"Optional Guidelines" Often Become Mandatory in Practice**

AGSC's statement suggests the bill merely provides verification metrics that repair facilities may choose to use. That may be technically true in statutory terms, but it does not reflect how the automotive claims ecosystem operates.

Once federal confirmatory test protocols or performance validation metrics exist, insurers and TPAs can quickly adopt them as:

- conditions for network participation
- requirements for claim reimbursement
- criteria for denying repair invoices
- benchmarks used in litigation

In other words, what begins as a federal guideline can easily become a mandatory requirement imposed through state legislation and insurance claims administration. Independent shops have seen this pattern repeatedly across many areas of vehicle repair.

### **The "Modified Vehicle" Limitation Is Not Clearly Defined**

AGSC's interpretation suggests the bill primarily targets vehicles that have been heavily modified or customized. However, the text of H.R. 6688 is far broader. The legislation directs NHTSA's guidelines to address ADAS functionality following:

- Repair
- Modification
- Component replacement

Replacing a windshield is, by definition, component replacement. Windshield replacement also involves temporarily removing and reinstalling forward-facing cameras and other ADAS sensors. That process directly involves the physical displacement and repositioning of sensor systems, which the bill explicitly instructs NHTSA to examine when establishing calibration tolerances and performance validation metrics.

Without a clear statutory definition of what constitutes a “modification,” everyday automotive glass replacement could easily fall within the practical scope of the guidelines. Leaving this ambiguity unresolved creates significant risk for independent auto glass repair facilities.

### **Federal Validation Metrics Could Redefine the “Standard of Care”**

AGSC states that H.R. 6688 does not explicitly shift liability. While that is technically correct, it overlooks how liability standards actually develop in courtrooms.

Liability in repair-related lawsuits is frequently determined by the accepted “standard of care.” If the federal government publishes ADAS performance validation metrics, those metrics could quickly become the new benchmark attorneys use to judge whether a repair was performed properly.

For example: If a shop performs a calibration exactly according to OEM procedures but does not perform an additional federal validation protocol that later becomes widely recognized, a plaintiff’s attorney may argue the shop failed to meet the accepted standard.

Without explicit safe-harbor protections for repair facilities that follow OEM procedures, the legal exposure for independent shops could increase significantly.

### **The Bill Is Silent on Reimbursement**

Perhaps the most important issue missing from many interpretations of H.R. 6688 is who pays for the additional procedures that may arise from these guidelines.

Whether they are called:

- validation protocols
- confirmatory tests
- operational integrity metrics

...each of these steps requires time, equipment, and trained technicians.

The legislation does not address reimbursement obligations for insurers or third-party administrators. History shows that when new repair procedures emerge without clear reimbursement protections, independent shops are often expected to absorb the cost while insurers resist payment.

The IGA believes federal policy related to vehicle repair safety should never create unfunded mandates for small businesses.

### **The IGA’s Ongoing Position**

The Independent Glass Association strongly supports initiatives that improve vehicle safety and ensure proper functionality of advanced driver assistance systems.

However, federal guidance related to post-repair ADAS performance must also ensure that:

- independent repair facilities remain able to compete fairly
- consumers retain the freedom to choose their repair provider

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- insurers cannot impose unfunded operational mandates
- repair facilities that follow OEM procedures receive clear liability protections

H.R. 6688, as currently written, does not yet provide these safeguards. For that reason, the IGA continues to engage with policymakers to pursue targeted amendments that clarify the bill's scope, protect independent repair businesses, and ensure fair reimbursement for any additional procedures created by federal guidance.

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