

Concise Explanatory Statement

Rhode Island Government Register

In accordance with the Administrative Procedures Act, R.I. Gen. Laws § 42-35-2.6, following is a concise explanatory statement:

AGENCY: Rhode Island Department of Business Regulation

DIVISION: Commercial Licensing

RULE IDENTIFIER: 230-RICR-30-05-3

REGULATION TITLE: **Motor Vehicle Glass Repair**

RULEMAKING ACTION: Full rulemaking, Amendment

COMMENT PERIOD: May 26, 2026, to June 25, 2026

A. Statement of Purpose of the Amendments

Advances in motor vehicle technology have made a significant impact on the auto glass industry. Significantly, most new cars now have Advanced Drivers' Assistance Systems ("ADAS"), which are safety features that alert the driver in situations where immediate action may be necessary. One prevalent ADAS system incorporates smart safety glass in the windshield, which communicates with the car's driver alert system, making noises or signals to the driver when the driver's vehicle is too close to another object or leaves its lane of travel. After replacing a windshield, the replacement windshield should be calibrated so that the glass installer can confirm that the ADAS system is working properly before returning the vehicle to the consumer.

Because auto glass now has these interrelated and interconnected safety features on which drivers depend, auto glass installers should have a minimum level of knowledge of, and education in, ADAS calibrations.

The following is a list of the changes proposed in the amended regulation:

- § 3.3(B)(2) adds a definition for ADAS.
- § 3.6(I) adds a requirement that licensees notify their consumers if they are not certified in ADAS calibration and will use another entity to perform the calibration.
- § 3.8(A)(1) and (2) add a licensing requirement that an applicant must be certified in ADAS calibration or have an arrangement with another entity that is ADAS calibration certified who will perform its calibrations.

B. Summary of the Regulatory Analysis

The proposed amendments benefit all occupants of all vehicles and pedestrians in Rhode Island, and beyond. Calibration is a crucial tool for the industry to keep pace with the development of vehicle safety technology, and in so doing it keeps all ADAS systems that depend on glass

functionality working properly. The cost of certification for licensees is minimal; two classes will be recommended, one of which is sixty-two dollars, and the other is forty-five dollars, and which together total two hours. All auto glass technician certifications need recertification every three years.

Critically important is that the proposed amendments do not require that licensees perform calibrations themselves or even that all licensees be certified in ADAS calibrations. In the event that the licensee does not desire to be ADAS calibration certified, it may elect to contract with another entity to perform calibrations and may provide evidence of the same to the Department in order to be licensed. However, many licensees are already certified in ADAS calibrations because of its importance to the safety of cars' operations. For those licensees, the amendment will pose no additional burden.

In the development of the proposed amendment consideration was given to: (1) alternative approaches; (2) overlap or duplication with other statutory and regulatory provisions; and (3) significant economic impact on small business. No alternative approach, duplication, or overlap was identified based upon available information.

C. Summary of Comments Not Resulting in Regulatory Language Changes

Below is a summary of other public comments received that did not result in changes to the text of the Regulation and a brief description of the Department's reasons for not making any such changes after due consideration.

1. § 3.3(B)(10) – Location Requirement.

Commentary was received regarding the requirement that applicants have a physical location for their business or access to indoor facilities, and that requires mobile-only operators to demonstrate access to a location. The commentary further states that mobile-only operators should have to demonstrate "access" to an indoor location, and that "access" should be distinct from "ownership" and be explicitly inclusive of lease, sharing, or partner arrangements.

This requirement is not part of the proposed amended changes to this regulation and is, thus, not a logical outgrowth of the amendments proposed in this rulemaking. R.I. Gen. Laws § 42-35-6.1. This section has been implemented without issue since the regulation's inception. Additionally, § 3.4(B)(12) explicitly states that mobile-only glass repair services need only to demonstrate "evidence of access to indoor facilities. . . ." A wide range of "access" is acceptable to the Department, which needs no further clarification for applicants or licensees.

Accordingly, the Department declines to make a change in response to this comment.

2. § 3.4(B)(3) – Financial Interest Reporting.

Commentary was received regarding the requirement that prospective licensees must report the names and addresses of persons having a financial interest in the "business to be conducted by the Applicant" in the application for licensure.

This requirement is not part of the proposed amended changes to this regulation and is, thus, not a logical outgrowth of the amendments proposed in this rulemaking. R.I. Gen. Laws § 42-35-6.1. This section has been implemented without issue since the regulation's inception. The Division has processed and granted applications where numerous financial interests are disclosed, and the Division appropriately works with the Applicant to accommodate its unique circumstances while also adhering to the rule.

Accordingly, the Department declines to make a change in response to this comment.

3. *§ 3.6(I) and § 3.8(A)(2) – Interpretation of Possible “Steering”*

Commentary was received regarding the addition of § 3.6(I), requiring the licensee to notify the consumer if the auto-glass installer is not certified in ADAS calibrations. The section further requires the licensee to inform the consumer of the entity that will perform the calibration if it will not. The entity submitting this commentary interprets this section as possibly allowing the licensee to interfere with the consumer's right to select their repairer of choice.

Contrary to the commentor's interpretation, § 3.6(I) refers only to the notice required to be made to the consumer by the licensee. This notice provides the consumer with the information necessary to make the best possible choice of provider. In fact, if the consumer receives the information about the calibration entity and does not want that entity to perform the calibration, then the consumer can choose to take their vehicle to another auto glass repairer. This proposed section empowers the consumers' choice of auto glass repairer and auto glass calibrator. It is the lack of information in such a scenario that may steer the consumer into an arrangement it wouldn't otherwise enter.

Accordingly, the Department declines to make a change in response to this comment.

4. *§ 3.8(A)(1)(a) and (c) – Repair, Replacement and Calibration Requirement.*

Commentary was received regarding the need for licensees to be certified in auto glass repair and replacement, located at § 3.8(A)(1)(a), and calibration, located at § 3.8(A)(1)(c).

The technician certification requirement for auto glass repair and replacement in § 3.8(A)(1)(a) is not part of the proposed amended changes to this regulation, and the section has been implemented without issue since the regulation's inception. Therefore, any change to this requirement is not a logical outgrowth of the amendments proposed in this rulemaking. R.I. Gen. Laws § 42-35-6.1.

For auto glass repair licensees, it is logical and necessary that the individuals performing such repairs be minimally trained and certified in the service they are offering to the public. Adding technician certification in ADAS calibration as a licensing requirement at § 3.8(A)(1)(c) is the focus of the proposed amendments because technology advancements have made the vehicle features ubiquitous, making drivers (and passengers and pedestrians) dependent upon and accustomed to advanced safety features, which necessitates comparable training changes in the service industry. Regardless of whether

ADAS calibration is a service that was provided by an entity prior to the proposed amended changes, to ensure the safety of the public, all licensees should have minimal training in the calibration of the technologies on which lives depend.

Accordingly, the Department declines to make a change in response to this comment.

5. *§ 3.8(A)(1)(b) – AGSC Technician Certification.*

Commentary was received regarding the AGSC technician certification requirement that the current language “or equivalent” was ambiguous and therefore, confusing. The section to which this comment refers is not language that is part of the proposed amended changes to this regulation, and the section has been implemented without issue since the regulation’s inception. Therefore, any change to this requirement is not a logical outgrowth of the amendments proposed in this rulemaking. R.I. Gen. Laws § 42-35-6.1.

Accordingly, the Department declines to make a change in response to this comment.

6. *§ 3.8(A)(2) – Name and Location of ADAS Certified Entities*

Commentary was received regarding the requirement that an Applicant provide the Department with the names and locations of entities with whom it has contracted to perform calibrations. This requirement only applies to situations in which an Applicant cannot, or chooses not, to certify that its technicians have received minimal training in ADAS calibrations. The commentator interpreted this requirement as burdensome and time-consuming for licensees to submit and change, and for the Department to monitor.

Because this requirement is attached only to the filing of an application for licensure or to its renewal, providing and updating this information is limited. The prospective licensee will submit the information to the Department only upon the submission of the initial application and then once every three years thereafter, upon renewal. Most licensees will only have limited number of entities with whom it contracts in Rhode Island to provide calibration services.

Accordingly, the Department declines to make a change in response to this comment.

7. *230-RICR-20-40-2, Unfair Property/Casualty Claims Settlement Practices*

Commentary was received regarding the addition of proposed language to the above-cited insurance regulation to exclude ADAS calibrations from the categorization of “specialty or unique services” as understood in its use pursuant to R.I. Gen. Laws § 27-9.1-4(31), the *Unfair Claims Settlement Practices Act* (the “Act”).

Neither the above-cited regulation, nor the Act, are subjects of this proposed amended regulation. None of the proposed changes to 230-RICR-30-05-3 in any way implicate the Act. Accordingly, the Department declines to make a change in response to this comment.