

HB 946 -- Motor Vehicle Insurance Claims

Sponsor: Jones (89)

This bill prohibits certain actions by insurers and motor vehicle repair shops regarding the handling of claims. An insurer or any representative of an insurer is prohibited from:

- (1) Limiting the freedom of an insured or claimant to choose a repair shop;
- (2) Requiring an insured or claimant to use a drive-in claim center or similar facility solely under the control of the insurer;
- (3) Boycotting, intimidating, or coercing an insured or claimant when negotiating repairs;
- (4) Attempting to obtain, except in an emergency, the insured's or claimant's signature in order to act on his or her behalf;
- (5) Adjusting a damage appraisal when the extent of the damage is in dispute without a physical inspection of the vehicle;
- (6) Requiring the use of a particular vendor for parts or materials; and
- (7) Disregarding a repair operation or cost identified by an estimating system which an insurer and repair facility have agreed to use in determining the cost of repair.

A repair shop is prohibited from:

- (1) Coercing or intimidating a motor vehicle owner to boycott an insurer's drive-in claim center;
- (2) Attempting to secure, except in an emergency, the motor vehicle owner's signature in order to act on his or her behalf;
- (3) Denying reasonable access to the repair shop during normal business hours for inspecting or reinspecting damaged vehicles; and
- (4) Charging storage and towing fees in excess of the usual and customary charge for an undamaged vehicle, unless special handling is required.