



General Assembly

**Amendment**

January Session, 2011

LCO No. 7934

**\*HB0528307934HDO\***

Offered by:

REP. MEGNA, 97<sup>th</sup> Dist.  
SEN. CRISCO, 17<sup>th</sup> Dist.  
REP. BARAM, 15<sup>th</sup> Dist.  
REP. DILLON, 92<sup>nd</sup> Dist.

To: House Bill No. 5283

File No. 230

Cal. No. 141

**"AN ACT CONCERNING AUTOMOTIVE GLASS WORK AND REPAIRS."**

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1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. Section 38a-354 of the general statutes is repealed and the  
4 following is substituted in lieu thereof (*Effective October 1, 2011*):

5 (a) No [automobile] motor vehicle physical damage appraiser shall  
6 require that appraisals or repairs should or should not be made in a  
7 specified facility or repair shop or shops.

8 (b) No insurance company doing business in this state, or agent or  
9 adjuster for such company shall (1) require any insured to use a  
10 specific person for the provision of [automobile] motor vehicle  
11 physical damage repairs, [automobile glass replacement, glass repair  
12 service or glass products,] or (2) state that choosing a facility other than

13 a motor vehicle repair shop participating in a motor vehicle repair  
14 program established by such company will result in delays in  
15 repairing the motor vehicle or a lack of guarantee for repair work.

16 (c) Any appraisal or estimate for a motor vehicle physical damage  
17 claim written on behalf of an [insurer] insurance company shall  
18 include the following notice, printed in not less than ten-point boldface  
19 type:

20 NOTICE:

21 YOU HAVE THE RIGHT TO CHOOSE THE LICENSED REPAIR  
22 SHOP WHERE THE DAMAGE TO YOUR MOTOR VEHICLE WILL  
23 BE REPAIRED.

24 Sec. 2. (NEW) (*Effective October 1, 2011*) (a) No insurance company  
25 doing business in this state, or agent or adjuster for such company  
26 shall (1) require any insured to use a specific person for the provision  
27 of motor vehicle glass repair service, motor vehicle glass replacement  
28 or motor vehicle glass products, or (2) state that choosing a facility  
29 other than a motor vehicle repair shop participating in a motor vehicle  
30 repair program established by such company will result in delays in  
31 repairing the motor vehicle or a lack of guarantee for repair work.

32 (b) No (1) insurance company, (2) motor vehicle glass repair or  
33 replacement facility actively engaged in motor vehicle glass repair  
34 service or motor vehicle glass replacement, that acts as a third-party  
35 adjuster or third-party claims administrator for an insurance company  
36 for claims regarding motor vehicle glass repair, motor vehicle glass  
37 replacement or motor vehicle glass products, or (3) person with a ten  
38 per cent or more ownership interest in such facility, that acts as a third-  
39 party adjuster or third-party claims administrator for an insurance  
40 company for claims regarding motor vehicle glass repair, motor  
41 vehicle glass replacement or motor vehicle glass products, shall:

42 (A) Refer or route any insured directly or indirectly to such facility;

43 (B) State the name of such facility or the name of any affiliate of such  
 44 facility, throughout the processing of such claim; or

45 (C) Use any information obtained from the insured to solicit such  
 46 insured for motor vehicle glass repair service, motor vehicle glass  
 47 replacement or motor vehicle glass products from such facility.

48 (c) Any appraisal or estimate for a motor vehicle glass repair or  
 49 motor vehicle glass replacement claim written on behalf of an  
 50 insurance company shall include the following notice, printed in not  
 51 less than ten-point boldface type:

52 NOTICE:

53 YOU HAVE THE RIGHT TO CHOOSE THE LICENSED MOTOR  
 54 VEHICLE GLASS REPAIR OR REPLACEMENT FACILITY WHERE  
 55 THE DAMAGE TO YOUR MOTOR VEHICLE GLASS WILL BE  
 56 REPAIRED OR REPLACED.

57 (d) A violation of subsection (b) of this section shall be an unfair  
 58 trade practice under section 42-110b of the general statutes."

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2011	38a-354
Sec. 2	October 1, 2011	New section