



General Assembly

**Amendment**

January Session, 2011

LCO No. 8296

**\*HB0528308296HDO\***

Offered by:

REP. MEGNA, 97<sup>th</sup> Dist.

SEN. CRISCO, 17<sup>th</sup> Dist.

To: House Bill No. 5283

File No. 230

Cal. No. 141

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

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 Section 38a-354 of the general statutes is repealed and the  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) Whenever an insurance company contracts with a third-party  
33 claims administrator to process claims regarding motor vehicle glass  
34 repair services or motor vehicle glass replacement for such company's  
35 insureds, such administrator shall, during the initial contact with an  
36 insured regarding any such claim, inform such insured that:

37 (1) Such administrator is a separate entity from the insurance  
38 company that has a contractual relationship with such company to  
39 process claims regarding motor vehicle glass repair services or motor  
40 vehicle glass replacement on such company's behalf; and

41 (2) The insured has the right to choose the licensed motor vehicle  
42 glass repair or replacement facility where the insured's motor vehicle  
43 glass will be repaired or replaced.

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

48 NOTICE:

49 YOU HAVE THE RIGHT TO CHOOSE THE LICENSED MOTOR  
50 VEHICLE GLASS REPAIR OR REPLACEMENT FACILITY WHERE  
51 THE DAMAGE TO YOUR MOTOR VEHICLE GLASS WILL BE  
52 REPAIRED OR REPLACED."

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