



General Assembly

February Session, 2012

Amendment

LCO No. 4285

HB0523104285H0

Offered by:

REP. MEGNA, 97th Dist.

SEN. CRISCO, 17th Dist.

REP. ARESIMOWICZ, 30th Dist.

To: Subst. House Bill No. 5231

File No. 97

Cal. No. 109

"AN ACT CONCERNING AUTOMOTIVE GLASS WORK."

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 Section 38a-354 of the general statutes is repealed and the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 January 1, 2013*):

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

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

14 other than a motor vehicle repair shop or glass shop participating in a
15 motor vehicle repair or an automotive glass work program established
16 by such company will result in delays in repairing the motor vehicle or
17 glass or a lack of guarantee for repair work.

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

22 NOTICE:

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

26 (d) (1) If there is oral communication between a glass claims
27 representative for an insurance company doing business in this state or
28 a third-party claims administrator for such company and an insured
29 regarding motor vehicle glass repair service or glass products, in the
30 initial contact with the insured, such representative or claims
31 administrator shall state to the insured a statement substantially
32 similar to the following: "You have the right to choose a licensed glass
33 shop where the damage to your motor vehicle will be repaired. If you
34 have a preference, please tell us now."

35 (2) No glass claims representative for an insurance company doing
36 business in this state or a third-party claims administrator for such
37 company shall provide an insured with the name of or direct an
38 insured to a licensed glass shop that is owned by (A) such company,
39 (B) such claims administrator, or (C) the same parent company as such
40 insurance company or claims administrator, unless such representative
41 or claims administrator provides the insured with the name of at least
42 one additional licensed glass shop in the area where the motor vehicle
43 glass is to be repaired or replaced."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>January 1, 2013</i>	38a-354