

SENATE BILL No. 156

DIGEST OF INTRODUCED BILL

Citations Affected: IC 27-4-1.5-8.

Synopsis: Insurer notice concerning auto body parts. Requires an insurer to give notice to an insured regarding body parts to be used in repair if the make of the motor vehicle being repaired is a current motor vehicle model year or the immediate two preceding model years.

Effective: June 30, 1999; July 1, 1999.

Wheeler

January 6, 1999, read first time and referred to Committee on Insurance and Financial Institutions.

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Introduced

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

SENATE BILL No. 156

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 27-4-1.5-8 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 8. (a) An insurer that
3 is obligated to pay at least part of the cost of repairing the exterior of
4 a motor vehicle under an insurance policy issued by the insurer may not
5 direct a body shop to repair the motor vehicle until the insurer has
6 presented the insured with a written notice that meets the requirements
7 set forth in subsections (b) and (c).
8 (b) An insurer described in subsection (a) shall present the insured
9 with a written notice that does the following:
10 (1) Informs the insured that the insured has a right to approve the
11 type of body parts to be used in the repair of the motor vehicle.
12 (2) Gives the insured an opportunity, in approving the type of
13 body parts to be used in the repair of the motor vehicle, to select
14 from among the following:
15 (A) New body parts manufactured by or for the manufacturer
16 of the motor vehicle.
17 (B) New body parts that were not manufactured by or for the

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1 manufacturer of the motor vehicle.

2 (C) Used body parts.

3 (c) An insurer described in subsection (a) shall give the insured an
4 opportunity to indicate in writing the type of body part that the insured
5 approves for use in the repair of the motor vehicle.

6 (d) This section applies only ~~in the five (5) years after the model~~
7 ~~year of the~~ **to the most current motor vehicle model year and the**
8 **immediate two (2) preceding model years.**

9 SECTION 2. [EFFECTIVE JUNE 30, 1999] (a) **Notwithstanding**
10 **IC 27-4-1.5-8, as amended by this act, if a claim is filed before July**
11 **1, 1999, IC 27-4-1.5-8, as amended by this act, applies only in the**
12 **five (5) years after the model year of the motor vehicle.**

13 (b) **This SECTION expires July 1, 2004.**

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