

Amendments to Senate Bill No. 388
3rd Reading Copy

For the House Business and Labor Committee

Prepared by Bartley Campbell
March 22, 2005 (7:13am)

1. Title, line 5.

Following: "AUTOMOBILE"

Insert: "BODY"

2. Title, line 6.

Following: "AUTOMOBILE"

Insert: "BODY"

Strike: "IT HAS"

Insert: "THEY HAVE"

3. Title, line 7.

Following: "AUTOMOBILE"

Insert: "BODY"

4. Title, line 8.

Strike: "OBJECTIVE"

Insert: "CERTAIN"

5. Page 1, line 14.

Following: "body"

Insert: "body"

Strike: "shops"

Insert: "businesses"

6. Page 1, line 17.

Following: "automobile"

Insert: "body"

7. Page 1, line 20.

Following: "automobile"

Insert: "body"

8. Page 1, line 22.

Strike: "IF"

Insert: "Except as provided in subsection (2)(b), if"

9. Page 1, line 23.

Following: "automobile"

Insert: "body"

10. Page 1, line 25.

Following: "automobile"

Insert: "body"

11. Page 1, following line 27.

Insert: "(b) An insurance company may limit the number of automobile body repair businesses or locations participating in the insurance company's direct repair program to those automobile body repair businesses or locations that comply with the provisions of subsection (2)(c). An insurance company is not required to establish a direct repair program in a particular market area in which the insurance company's number of policyholders does not support establishing a direct repair program with any automobile body repair business or location."

Renumber: subsequent subsection

12. Page 1, line 29.

Strike: "an alphabetical"

Insert: "a"

Following: "automobile"

Insert: "body"

Following: "are"

Insert: "reasonably close or convenient to the insured person and"

13. Page 1, line 30.

Strike: "following objective criteria because"

Insert: "insurance company's criteria regarding whether"

Following: "because the"

Insert: "automobile body repair"

14. Page 2, line 4.

Following: "repairs"

Insert: "at the prevailing competitive market price and"

15. Page 2, line 5.

Following: "MEET"

Insert: "reasonable"
Following: "INDUSTRY"
Insert: "repair"

16. Page 2, line 7.
Strike: "and"

17. Page 2, following line 7.
Insert: "(v) agrees to inspection of its repairs and services by the insurance company and agrees that the insurance company may terminate the direct repair program with the automobile body repair business or location if the repairs and services are below the standards of quality required by the insurance company; and"
Renumber: subsequent subsection

18. Page 2, line 9.
Strike: "objective"
Following: "automobile"
Insert: "body"

19. Page 2, line 10.
Following: "."
Insert: "The additional criteria may include criteria determined to be necessary by the insurance company and designed to ensure that the automobile body repair business or location has the necessary estimating systems and programs and equipment to communicate electronically with the insurance company and that the automobile body repair business or location has taken steps to ensure the privacy of the insurance company and the insured person.
(d) If the insured person requests the list provided for in subsection (2)(c), the insurance company shall inform the insured person that the insured person may use an automobile body repair business or location at the sole discretion of the insured person.
(3) For the purposes of this section, an incentive or inducement does not include:
(a) providing an insured person with the list provided for in subsection (2)(c); or
(b) referring to a warranty issued by an automobile body repair business or location."
Renumber: subsequent subsections

20. Page 2, line 18.

Following: "automobile"
Insert: "body"

21. Page 2, line 19.
Following: "body"
Insert: "body"

22. Page 2, line 21.
Following: "body"
Insert: "body"

23. Page 2, line following 25.
Insert: "(4) If the insured person uses an automobile body repair business or location that is not on a list provided by under subsection (2)(c), the insurance company may not be held liable for any repair work performed by the automobile body repair business or location chosen by the insured person."

Renumber: subsequent subsections

24. Page 2, line 26.
Following: "automobile"
Insert: "body"

25. Page 2, line 27.
Following: "automobile"
Insert: "body"

26. Page 2, line 30.
Following: "automobile"
Insert: "body"

- END -