

1 AN ACT relating to insurance for motor vehicle repairs.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 304.12-275 is amended to read as follows:

4 (1) (a) An insurer shall inform a claimant upon notification of a motor vehicle
5 damage claim that he or she has the right to choose the repair facility of his or
6 her choice to repair a damaged vehicle.

7 ~~(b)~~(2) After July 12, 2012, all appraisals shall include the following notice,
8 printed in not less than ten (10) point, boldfaced type: "NOTICE: UNDER
9 KENTUCKY LAW, THE CONSUMER AND/OR LESSEE HAS THE
10 RIGHT TO CHOOSE THE REPAIR FACILITY TO MAKE REPAIRS TO
11 HIS OR HER MOTOR VEHICLE."

12 **(2) (a) An insurer making a payment for motor vehicle repairs shall pay a fair and**
13 **reasonable amount for the repairs.**

14 **(b) When determining the amount that shall be paid for motor vehicle repairs,**
15 **the insurer shall not rely on or consider survey data.**

16 (3) The obligations set forth in this section shall not apply to the replacement or repair
17 of automobile glass.

18 ➔Section 2. KRS 304.99-112 is amended to read as follows:

19 Any person who violates KRS 304.12-275(1) shall be subject, at the discretion of the
20 commissioner, to a fine in an amount of not less than two hundred fifty dollars (\$250) nor
21 more than five thousand dollars (\$5,000). Each violation shall constitute a separate
22 offense.