

SENATE No. 191

The Commonwealth of Massachusetts

PRESENTED BY:

Susan C. Tucker

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act providing protections against fraud in the repair of damaged vehicles.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Susan C. Tucker	Second Essex and Middlesex
Bruce E. Tarr	First Essex and Middlesex
David B. Sullivan	6th Bristol

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT PROVIDING PROTECTIONS AGAINST FRAUD IN THE REPAIR OF DAMAGED VEHICLES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 8 of chapter 100A of the General Laws is hereby amended by
2 adding at the end thereof the following: - (f) fail to perform all repairs indicated on any appraisal
3 and supplement completed pursuant to section eight G of chapter twenty-six of the General Laws;
4 (g) fail to provide, upon the request of the owner of any motor vehicle which has been repaired
5 in a motor vehicle repair shop or an insurer which has paid in whole or in part for any motor
6 vehicle repair, including an insurer that has made payment to a claimant for damage to a motor
7 vehicle pursuant to a direct payment plan authorized by section thirty-four O of chapter ninety of
8 the General Laws and by section one hundred and thirteen O of chapter one hundred and
9 seventy-five of the General Laws, a detailed original invoice which itemizes: (i) all work that the
10 motor vehicle repair shop has performed, (ii) all work that any subcontractor has performed, (iii)
11 all parts supplied having a value in excess of ten dollars and the cost of each such part; and (iv)
12 the number of hours, or portion thereof, of labor charged in performing the work.

13 SECTION 2. Section 9 of said chapter 100A is hereby amended by adding at the end of
14 subsection (c) the following: - and by the deputy director or his or her designee.

15 SECTION 3. Section 10 of said chapter 100A is hereby amended by striking out the
16 third sentence of the first paragraph and inserting in place thereof the following: - Violation of
17 any of the provisions of this chapter shall constitute a violation of section two of chapter ninety-
18 three A of the General Laws.

19 SECTION 4. Said chapter 100A is hereby amended by adding at the end thereof the
20 following section: - Section 11. The deputy director may adopt regulations to carry out the
21 purposes of this chapter.