

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 5052

Chapter 74, Laws of 2007

60th Legislature
2007 Regular Session

INSURANCE CLAIMS--AUTO GLASS REPAIR

EFFECTIVE DATE: 07/22/07

Passed by the Senate March 8, 2007
YEAS 48 NAYS 0

BRAD OWEN

President of the Senate

Passed by the House April 4, 2007
YEAS 95 NAYS 0

FRANK CHOPP

Speaker of the House of Representatives

Approved April 18, 2007, 9:29 a.m.

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5052** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

Secretary

FILED

April 18, 2007

CHRISTINE GREGOIRE

Governor of the State of Washington

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5052

Passed Legislature - 2007 Regular Session

State of Washington 60th Legislature 2007 Regular Session

By Senate Committee on Financial Institutions & Insurance (originally sponsored by Senators Eide, Roach, Franklin, Hobbs, Fairley, Kastama, Prentice, Jacobsen, Shin and Parlette)

READ FIRST TIME 02/28/07.

1 AN ACT Relating to auto glass repair and third party
2 administrators; and adding a new section to chapter 48.30 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 48.30 RCW
5 to read as follows:

6 (1) A person in this state has the right to choose any glass repair
7 facility for the repair of a loss relating to motor vehicle glass.

8 (2) An insurer or its third-party administrator that owns in whole
9 or in part an automobile glass repair facility that is processing a
10 claim limited only to auto glass shall:

11 (a) Verbally inform the person making the claim of loss, of the
12 right provided under subsection (1) of this section, at the time
13 information regarding the automobile glass repair or replacement
14 facilities is provided; and

15 (b) Verbally inform the person making the claim of loss that the
16 third-party administrator is an entity separate from the insurer that
17 has a financial arrangement to process automobile glass claims on the
18 insurer's behalf.

1 (3) An insurer or its third-party administrator that owns an
2 interest in an automobile glass repair or replacement facility shall
3 post the following notice in each of its repair facilities:

4 "THIS AUTOMOBILE GLASS REPAIR OR REPLACEMENT FACILITY IS OWNED IN
5 WHOLE OR IN PART BY (NAME OF INSURER OR INSURER'S THIRD-PARTY
6 ADMINISTRATOR). YOU ARE HEREBY NOTIFIED THAT YOU ARE ENTITLED UNDER
7 WASHINGTON LAW TO SEEK REPAIRS AT ANY AUTOMOBILE GLASS REPAIR OR
8 REPLACEMENT FACILITY OF YOUR CHOICE."

9 The notice must be posted, in not less than eighteen point font,
10 prominently in a location in which it is likely to be seen and read by
11 a customer. If the automobile glass repair or replacement facility is
12 mobile, the notice must be given to the person making the claim
13 verbally by the insurer or its third-party administrator prior to
14 commencement of the repair or replacement.

15 (4) A person making a claim of loss whose motor vehicle is repaired
16 at an automotive glass repair or replacement facility subject to the
17 notice requirements of this section may file a complaint with the
18 office of the insurance commissioner.

19 (5) This section does not create a private right or cause of action
20 to or on behalf of any person.

Passed by the Senate March 8, 2007.
Passed by the House April 4, 2007.
Approved by the Governor April 18, 2007.
Filed in Office of Secretary of State April 18, 2007.