

By Mr. Bosley of North Adams, petition of Daniel E. Bosley, Joseph C. Sullivan, Salvatore F. DiMasi, Daniel J. Valianti, James V. DiPaola and Bruce E. Tarr for legislation to prohibit motor vehicle insurance companies from directing insureds to specific auto glass companies for repair of vehicles. Insurance.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Five.

AN ACT TO PROHIBIT MOTOR VEHICLE INSURANCE COMPANIES FROM DIRECTING INSURED TO SPECIFIC AUTO GLASS COMPANIES FOR REPAIR OF 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. The General Laws are hereby amended by
2 inserting after Chapter 100A the following chapter:—

3 **CHAPTER 100B.**
4 **Auto Glass Repairs; Restrictions.**

5 Notwithstanding any provision of any general or special law or
6 regulation to the contrary, no insurance company, agent, or
7 adjuster for such insurance company that issues or renews in the
8 Commonwealth any policy of insurance covering in whole or in
9 part any motor vehicle, may require that any person insured under
10 said policy use a particular company or location for the providing
11 of automobile glass replacement or repair services or products
12 insured in part by that policy.

1 SECTION 2. No such insurance company, agent or adjuster
2 may engage in any act or practice of intimidation, coercion,
3 threat, or inducement for or against any such insured person to
4 use a particular company or location to provide such services
5 or products.

1 SECTION 3. All insurance companies, agents, or adjusters
2 must provide to such insured person or entity a single list that
3 includes the names of all registered automobile glass companies
4 or locations under the provisions of Chapter 100A, Section 6.
5 Such list may indicate by asterisk *only*, which glass shops the
6 insurer prefers the insured to use. An insurer shall not provide a
7 separate list containing only its referral shops and no insurance
8 company, agent or adjuster may require or urge use of any auto-
9 mobile glass companies or locations. When a list is provided, the
10 insurance company, agent or adjuster shall make written disclo-
11 sure in no less than ten point type at the time of any claim reim-
12 bursable in whole or in part under the insurance policy as follows:

13 “Any registered glass company or location may be used by you
14 (the customer) in your sole discretion; and the insurer must fully
15 and promptly pay for the cost of the automobile glass replacement
16 or repair services or products less any applicable deductible
17 amount payable (if any) according to the terms of your policy.
18 If you wish to use your own registered automobile glass company
19 or location, your insurance company may not impose upon you
20 any obligations or requirements including the obtaining of written
21 estimates which would not be required if you elect to use an aster-
22 isked automobile glass company or location.”