

By Mr. Mariano of Quincy, petition of Ronald Mariano and Salvatore F. DiMasi relative to prohibiting insurance companies from designating glass companies for the repair of motor vehicles. Insurance.

The Commonwealth of Massachusetts

In the Year Two Thousand and Three.

AN ACT PROHIBITING INSURANCE COMPANIES FROM DESIGNATING GLASS COMPANIES FOR THE REPAIR OF MOTOR VEHICLE INSURANCE.

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. Notwithstanding any general or special law to the
2 contrary, no insurance company, third party biller, agent or
3 adjuster for such insurance company that issues or renews in the
4 commonwealth any policy of insurance covering in whole or in
5 part any motor vehicle may require that any person insured under
6 said policy use a particular company or location for the providing
7 of automobile glass replacement or repair services of products
8 insured in part by that policy, unless in conformance with
9 section 4 of this act.

1 SECTION 2. No such insurance company, third party biller,
2 agent or adjuster for such insurance company may engage in any
3 act or practice of intimidation, coercion, threat or inducement for
4 or against any such insured person to use a particular company or
5 location to provide such services or products nor shall such insur-
6 ance company, agent or adjuster provide for, allow or facilitate
7 telephonic claims information directly to preferred automobile
8 glass repair shops, unless in conformance with section 4 of this
9 act.

1 SECTION 3. The provisions of Section 1 and Section 2 of this
2 Act are applicable only to auto glass repair shops registered under
3 the provisions of chapter 100A, and who accept payment from

4 insurance companies according to pricing discounts published and
5 set from time to time by said insurance companies. Any violations
6 of this chapter are subject to the provisions of chapter 93A.

1 SECTION 4. Insurance companies that offer insured glass dis-
2 count programs or require glass replacement or repair shops to
3 work for a discounted price, shall comply with the following
4 requirements: (a.) Notice shall be provided thirty days prior to the
5 start of a discount program to all glass replacement or repair shops
6 registered under the provisions of Chapter 100A of the carriers
7 intent to solicit participation in its automobile glass discount pro-
8 gram. (b.) Glass replacement or repair shops registered under the
9 provisions of Chapter 100A and who agree to abide by discount
10 program set forth by an insurance company must be added to such
11 program or preferred provider list. (c.) Insurance companies shall
12 give the names of all participating glass shops verbally and/or in
13 writing that are within a fifteen mile geographical location of the
14 insured's residence or place of business. No insurance company
15 shall deviate from the provisions hereof.