

## SENATE AMENDMENTS TO SENATE BILL 523

By COMMITTEE ON COMMERCE

May 9

1 On page 1 of the printed bill, line 2, delete “and 746.290”.

2 Delete lines 4 through 30 and delete page 2 and insert:

3 “**SECTION 1.** ORS 746.280 is amended to read:

4 “746.280. (1) An insurer [*shall*] **may** not require that a particular person make the repairs to the  
5 insured’s motor vehicle as a condition for recovery by the insured under a motor vehicle liability  
6 insurance policy.

7 “(2) **Prior to providing a recommendation that a particular person make repairs to the**  
8 **insured’s motor vehicle, the person adjusting the claim on behalf of the insurer shall inform**  
9 **the insured of the rights conferred by subsection (1) of this section by communicating in a**  
10 **statement substantially similar to the following:**

11 “

12 \_\_\_\_\_  
13 **OREGON LAW PROHIBITS US FROM REQUIRING YOU TO GET REPAIRS TO YOUR**  
14 **VEHICLE AT A PARTICULAR MOTOR VEHICLE REPAIR SHOP. YOU HAVE THE RIGHT**  
15 **TO SELECT THE MOTOR VEHICLE REPAIR SHOP OF YOUR CHOICE.**

16 “

17 \_\_\_\_\_  
18 “(3) **If an insured elects to have the motor vehicle repaired at a motor vehicle repair shop**  
19 **other than a shop recommended by the insurer, the insurer may not limit the cost of repairs**  
20 **necessary to return the motor vehicle to a preloss condition relative to safety, function and**  
21 **appearance other than as stated in the policy or as otherwise allowed by law.**

22 “(4) **If an insured accepts the insurer’s recommendation, the insurer shall provide, elec-**  
23 **tronically or in printed form, a statement to the insured within three business days after the**  
24 **date of acceptance in substantially the following form:**

25 “

26 \_\_\_\_\_  
27 **WE HAVE RECOMMENDED A MOTOR VEHICLE REPAIR SHOP. IF YOU AGREE TO**  
28 **USE OUR RECOMMENDED REPAIR SHOP, YOUR VEHICLE WILL RECEIVE REPAIRS**  
29 **RETURNING IT TO A PRELOSS CONDITION RELATIVE TO SAFETY, FUNCTION AND**  
30 **APPEARANCE AT NO ADDITIONAL COST TO YOU OTHER THAN AS STATED IN THE**  
31 **INSURANCE POLICY OR AS OTHERWISE ALLOWED BY LAW.**

32 “

33 \_\_\_\_\_”.

34 \_\_\_\_\_