

A-Engrossed
Senate Bill 534

Ordered by the Senate March 17
Including Senate Amendments dated March 17

Sponsored by Senator STARR (at the request of Auto Appraisers of Oregon) (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Requires independent appraisal of physical damage to motor vehicle for insurance purposes to be conducted by person who has been issued vehicle appraiser certificate **or license**.

A BILL FOR AN ACT

1
2 Relating to motor vehicle liability insurance; creating new provisions; and amending ORS 742.466.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 742.466 is amended to read:

5 742.466. (1) In the event of a dispute between the insurer and insured under a motor vehicle li-
6 ability policy concerning coverage for physical damage, if the policy contains a provision authoriz-
7 ing the insured to obtain an independent appraisal by a **competent and** disinterested [*party*] **person**
8 of the physical damage, that provision shall apply. **An independent appraisal conducted under**
9 **this section shall be performed by a person who has been issued a vehicle appraiser certifi-**
10 **cate under ORS 819.480 or a person who has been issued a vehicle appraiser certificate or**
11 **license by another state or government body.**

12 (2) When a motor vehicle liability policy contains a provision for resolving a dispute through
13 appraisal of a motor vehicle insured under the policy, the insurer shall reimburse the insured for
14 the reasonable appraisal costs if the final appraisal decision under the policy provision is greater
15 than the amount of the insurer's last offer prior to the incurrence of the appraisal costs.

16 (3) If a motor vehicle liability policy does not contain a provision described in subsection (1) of
17 this section, then notwithstanding any other provision of the policy, any resolution of the dispute
18 shall be subject to rules adopted by the Director of the Department of Consumer and Business Ser-
19 vices.

20 **SECTION 2.** **The amendments to ORS 742.466 by section 1 of this 2011 Act apply to motor**
21 **vehicle liability insurance policies issued or renewed on or after the effective date of this 2011**
22 **Act.**

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NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.