

**Enrolled**  
**Senate Bill 534**

Sponsored by Senator STARR (at the request of Auto Appraisers of Oregon) (Presession filed.)

CHAPTER .....

AN ACT

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

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

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

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

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

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

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

**Passed by Senate March 23, 2011**

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Robert Taylor, Secretary of Senate

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Peter Courtney, President of Senate

**Passed by House May 12, 2011**

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Bruce Hanna, Speaker of House

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Arnie Roblan, Speaker of House

**Received by Governor:**

.....M,....., 2011

**Approved:**

.....M,....., 2011

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John Kitzhaber, Governor

**Filed in Office of Secretary of State:**

.....M,....., 2011

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Kate Brown, Secretary of State