
SUBSTITUTE HOUSE BILL 3053

State of Washington 60th Legislature 2008 Regular Session

By House Insurance, Financial Services & Consumer Protection
(originally sponsored by Representatives Kirby, Rodne, Simpson,
Roach, Kelley, Sullivan, Conway, and Ormsby)

READ FIRST TIME 02/01/08.

1 AN ACT Relating to auto glass repair; and amending RCW 48.30.340.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

3 **Sec. 1.** RCW 48.30.340 and 2007 c 74 s 1 are each amended to read
4 as follows:

5 (1) A person in this state has the right to choose any glass repair
6 facility for the repair of a loss relating to motor vehicle glass.

7 (2) At the time information regarding any automobile glass repair
8 or replacement facility is discussed, an insurer or its third-party
9 administrator ((that owns in whole or in part an automobile glass
10 repair facility)) that is processing a claim limited only to auto glass
11 shall:

12 (a) Verbally inform the person making the claim of loss, of the
13 right provided under subsection (1) of this section(~~(, at the time~~
14 ~~information regarding the automobile glass repair or replacement~~
15 ~~facilities is provided; and));~~

16 (b) Verbally inform the person making the claim of loss that the
17 third-party administrator is an entity separate from the insurer that
18 has a financial arrangement to process automobile glass claims on the
19 insurer's behalf; and

1 (c) Prior to making a recommendation, verbally ask the person
2 making a claim for a loss if that person has chosen an automobile glass
3 repair or replacement facility.

4 (i) If a facility is indicated by the person, the insurer or its
5 third-party administrator shall not recommend an automobile glass
6 repair or replacement facility owned in whole or in part by the insurer
7 or its third-party administrator as an alternative to the person's
8 stated choice.

9 (ii) If a facility is not indicated by the person and if the
10 insurer or its third-party administrator owns in whole or in part the
11 facility that is being recommended, the person making the claim must be
12 provided with (A) a notice with the same content as the notice in
13 subsection (3) of this section, and (B) a choice of automobile glass
14 repair or replacement facilities that includes being provided a list of
15 automobile glass repair or replacement facilities that are comparable
16 and in reasonable proximity to the person.

17 (3) An insurer or its third-party administrator that owns an
18 interest in an automobile glass repair or replacement facility shall
19 post the following notice in each of its repair facilities:

20 "THIS AUTOMOBILE GLASS REPAIR OR REPLACEMENT FACILITY IS OWNED IN
21 WHOLE OR IN PART BY (NAME OF INSURER OR INSURER'S THIRD-PARTY
22 ADMINISTRATOR). YOU ARE HEREBY NOTIFIED THAT YOU ARE ENTITLED UNDER
23 WASHINGTON LAW TO SEEK REPAIRS AT ANY AUTOMOBILE GLASS REPAIR OR
24 REPLACEMENT FACILITY OF YOUR CHOICE."

25 The notice must be posted, in not less than eighteen point font,
26 prominently in a location in which it is likely to be seen and read by
27 a customer. ~~((If the automobile glass repair or replacement facility
28 is mobile, the notice must be given to the person making the claim
29 verbally by the insurer or its third party administrator prior to
30 commencement of the repair or replacement.))~~

31 (4) A person making a claim of loss whose motor vehicle is repaired
32 at an automotive glass repair or replacement facility subject to the
33 notice requirements of this section may file a complaint with the
34 office of the insurance commissioner.

35 (5) This section does not create a private right or cause of action
36 to or on behalf of any person.

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