

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1638 Session of 2015

INTRODUCED BY TOBASH, PICKETT, DeLUCA, MILLARD, D. COSTA, DRISCOLL, COHEN, DAVIS, BIZZARRO, HELM, A. HARRIS, LAWRENCE, ZIMMERMAN, READSHAW AND SIMMONS, OCTOBER 20, 2015

AS REPORTED FROM COMMITTEE ON INSURANCE, HOUSE OF REPRESENTATIVES, AS AMENDED, OCTOBER 26, 2015

AN ACT

1 Amending the act of December 29, 1972 (P.L.1713, No.367),
2 entitled "An act concerning motor vehicle physical damage
3 appraisers; providing for the licensing of persons engaged in
4 appraising physical damages to motor vehicles; fixing fees
5 and prescribing unlawful acts and penalties," further
6 providing for compliance with act.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 ~~Section 1. Section 11(c) of the act of December 29, 1972~~ <--
10 ~~(P.L.1713, No.367), known as the Motor Vehicle Physical Damage~~
11 ~~Appraiser Act, is amended to read:~~

12 SECTION 1. SECTION 11(B) AND (C) OF THE ACT OF DECEMBER 29, <--
13 1972 (P.L.1713, NO.367), KNOWN AS THE MOTOR VEHICLE PHYSICAL
14 DAMAGE APPRAISER ACT, ARE AMENDED TO READ:

15 Section 11. Compliance with Act.--* * *

16 (B) THE APPRAISER SHALL [LEAVE] FURNISH A LEGIBLE COPY OF <--
17 HIS APPRAISAL WITH [THAT OF] THE REPAIR SHOP SELECTED BY THE
18 CONSUMER TO MAKE THE REPAIRS AND ALSO FURNISH A COPY TO THE
19 OWNER OF THE VEHICLE. THIS APPRAISAL SHALL CONTAIN THE NAME OF

1 THE INSURANCE COMPANY ORDERING IT, IF ANY, THE INSURANCE FILE
2 NUMBER, THE NUMBER OF THE APPRAISER'S LICENSE AND THE PROPER
3 IDENTIFICATION NUMBER OF THE VEHICLE BEING INSPECTED. ALL
4 UNRELATED OR OLD DAMAGE SHOULD BE CLEARLY INDICATED ON THE
5 APPRAISAL WHICH SHALL INCLUDE AN ITEMIZED LISTING OF ALL
6 DAMAGES, SPECIFYING THOSE PARTS TO BE REPLACED OR REPAIRED.
7 BECAUSE AN APPRAISER IS CHARGED WITH A HIGH DEGREE OF REGARD FOR
8 THE PUBLIC SAFETY, THE OPERATIONAL SAFETY OF THE VEHICLE SHALL
9 BE PARAMOUNT IN CONSIDERING THE SPECIFICATION OF NEW PARTS. THIS
10 CONSIDERATION IS VITALLY IMPORTANT WHERE THE PARTS INVOLVED
11 PERTAIN TO THE DRIVE TRAIN, STEERING GEAR, SUSPENSION UNITS,
12 BRAKE SYSTEM OR TIRES.

13 (c) [No appraiser shall secure or use repair estimates that
14 have been obtained by the use of photographs, telephone calls or
15 in any manner other than a personal inspection.] An appraiser
16 may prepare a repair estimate obtained by personal inspection or
17 by photographs, videos or telephonic means. An appraiser may not
18 require the owner of a vehicle to submit SUBMISSION OF <--
19 photographs or videos in order to obtain an appraisal. AN <--
20 APPRAISER, OR AN INSURER AS PART OF THE APPRAISAL PROCESS, SHALL
21 DISCLOSE TO THE OWNER OF THE VEHICLE THAT THERE IS NO
22 REQUIREMENT TO SUBMIT PHOTOGRAPHS OR VIDEOS IN ORDER TO OBTAIN
23 AN APPRAISAL.

24 * * *

25 Section 2. This act shall take effect in 60 days.