

SENATE No. 454

The Commonwealth of Massachusetts

PRESENTED BY:

Anthony W. Petruccelli

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act providing additional protections against insurance fraud in the repair of damaged vehicles.

PETITION OF:

NAME:

Anthony W. Petruccelli

DISTRICT/ADDRESS:

SENATE No. 454

By Mr. Petruccelli, a petition (accompanied by bill, Senate, No. 454) of Anthony W. Petruccelli for legislation to provide additional protections against insurance fraud in the repair of damaged vehicles. Financial Services.

The Commonwealth of Massachusetts

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In the Year Two Thousand Eleven
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An Act providing additional protections against insurance fraud in the repair of damaged vehicles.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 8 of chapter 100A of the General Laws is hereby amended by
2 adding at the end thereof the following: -

3 (f) fail to perform all repairs indicated on any appraisal and supplement completed
4 pursuant to section 8G of chapter 26 of the General Laws; (g) fail to provide, upon the request of
5 the owner of any motor vehicle which has been repaired in a motor vehicle repair shop or an
6 insurer which has paid in whole or in part for any motor vehicle repair, including an insurer that
7 has made payment to a claimant for damage to a motor vehicle pursuant to a direct payment plan
8 authorized by section 34O of chapter 90 of the General Laws and by section 113O of chapter 175
9 of the General Laws, a detailed original invoice which itemizes: (i) all work that the motor
10 vehicle repair shop has performed, (ii) all work that any subcontractor has performed, (iii) all
11 parts supplied having a value in excess of ten dollars and the cost of each such part; and (iv) the
12 number of hours, or portion thereof, of labor charged in performing the work.

13 SECTION 2. Section 9 of said chapter 100A is hereby amended by adding at the end of
14 subsection (c) the following: - and by the deputy director or his or her designee.

15 SECTION 3. Section 10 of said chapter 100A is hereby amended by striking out the
16 third sentence of the first paragraph and inserting in place thereof the following: - Violation of
17 any of the provisions of this chapter shall constitute a violation of section 2 of chapter 93A of the
18 General Laws.

19 SECTION 4. Said chapter 100A is hereby amended by adding at the end thereof the
20 following section: -

21 Section 11. The deputy director may adopt regulations to carry out the purposes of this
22 chapter.