

**SENATE . . . . . No. 189**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Michael F. Rush***

*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 requiring licensed auto insurance damage appraisers to provide safety notices to the owners of damaged motor vehicles.

PETITION OF:

NAME:

*Michael F. Rush*

DISTRICT/ADDRESS:

*Norfolk and Suffolk*

**SENATE . . . . . No. 189**

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By Mr. Rush, a petition (accompanied by bill, Senate, No. 189) of Michael F. Rush for legislation to require licensed auto insurance damage appraisers to provide safety notices to the owners of damaged motor vehicles. Consumer Protection and Professional Licensure.

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Eighty-Ninth General Court  
(2015-2016)**  
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An Act requiring licensed auto insurance damage appraisers to provide safety notices to the owners of damaged motor 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 8G of chapter 26 of the General Laws, as appearing in the 2012  
2 Official Edition, is hereby amended by striking out the last paragraph and inserting in place  
3 thereof the following paragraph: -

4           Whenever a licensed appraiser, whether employed by a registered motor vehicle repair  
5 shop, employed by a licensed insurer or acting as an independent appraiser, determines that a  
6 motor vehicle is damaged such that (a) it may no longer meet the safety standards established by  
7 the registrar of motor vehicles under section seven A of chapter ninety; or (b), it may no longer  
8 comply with the motor vehicle emission standards established by the commissioner of the  
9 department of environmental protection under section 142M of chapter one hundred and eleven,  
10 then the appraiser shall provide notice, in a format and containing such information as shall be  
11 prescribed by the registrar of motor vehicles, to the owner of the motor vehicle that the vehicle  
12 no longer meets such safety or emissions standards. The notice shall direct the owner of the

13 motor vehicle to have the vehicle repaired so that it may pass the safety and emissions standards  
14 and to obtain a new certificate of inspection. The registrar of motor vehicles shall periodically,  
15 but not less frequently than annually issue specific guidelines on the safety or emissions items  
16 that require the prescribed notice to and shall publish such guidelines in the Massachusetts  
17 Register. The registrar of motor vehicles shall establish rules and regulations promulgated  
18 pursuant to chapter 30A for the implementation and enforcement of this paragraph.

19 SECTION 2. This act shall take effect on passage.