

HOUSE No. 2171

The Commonwealth of Massachusetts

PRESENTED BY:

Susan Williams Gifford

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: | DISTRICT/ADDRESS: | DATE ADDED: |
|-------------------------------|---------------------|------------------|
| <i>Susan Williams Gifford</i> | <i>2nd Plymouth</i> | <i>1/20/2017</i> |

HOUSE No. 2171

By Ms. Gifford of Wareham, a petition (accompanied by bill, House, No. 2171) of Susan Williams Gifford relative to requiring licensed appraisers to provide notice to owners of motor vehicles of failure to meet safety or emissions standards. Financial Services.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

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 2014
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, to the owner of the motor vehicle that the vehicle no
11 longer meets such safety or emissions standards.

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

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