

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2001**

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**HOUSE BILL 13**

Short Title: Motor Vehicle Repairs.

(Public)

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Sponsors: Representatives Sherrill; Cansler, Walend, and Carpenter.

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Referred to: Rules, Calendar, and Operations of the House.

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January 29, 2001

A BILL TO BE ENTITLED

1 AN ACT TO PROHIBIT INSURANCE COMPANIES FROM ENCOURAGING  
2 INSURANCE CLAIMANTS TO OBTAIN MOTOR VEHICLE REPAIR  
3 SERVICES FROM PARTICULAR SOURCES.  
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5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 58-3-180 reads as rewritten:

7 "**§ 58-3-180. Motor vehicle repairs; selection by claimant.**

8 (a) A policy covering damage to a motor vehicle shall allow the claimant to  
9 select the repair service or source for the repair of the damage.

10 (a1) No insurer or insurer representative shall recommend, or in any way  
11 encourage, a claimant use a particular motor vehicle repair service or source for the  
12 purpose of obtaining (i) an estimate of the cost of repairs to a damaged motor vehicle, or  
13 (ii) repair services to a damaged motor vehicle. No insurer or insurer representative  
14 shall inform the claimant that the insurer will guarantee repairs performed by one or  
15 more particular repair services or sources but not by other repair services or sources.

16 (b) The amount determined by the insurer to be payable under a policy covering  
17 damage to a motor vehicle shall be paid regardless of the repair service or source  
18 selected by the claimant.

19 (c) Any person who violates this section is subject to the applicable provisions of  
20 G.S. 58-2-70 and G.S. 58-33-45, provided that the maximum civil penalty that can be  
21 assessed under G.S. 58-2-70(d) for a violation of this section is two thousand dollars  
22 (\$2,000).

23 (d) As used in this section, 'insurer representative' includes an insurance agent,  
24 limited representative, broker, adjuster, and appraiser."

25 **SECTION 2.** This act becomes effective October 1, 2001.