

304.20-060 Definitions for section -- Coverage for motor vehicle glass -- Requirement to use specific motor vehicle glass repair shop prohibited.

- (1) As used in this section:
 - (a) "Advanced driver assistance system" means any motor vehicle electronic safety system, as outlined in the most recent version of SAE International's SAE J3016 Levels of Driving Automation, that is designed to support the driver and motor vehicle in a manner intended to:
 1. Increase motor vehicle safety; and
 2. Reduce losses associated with motor vehicle crashes;
 - (b) "Motor vehicle glass" means the following on any motor vehicle:
 1. The glass and nonglass parts associated with the replacement of the glass used in the windshield, doors, or windows; and
 2. The glass, plastic, or other material used in the lights required by KRS Chapter 189;
 - (c) "Motor vehicle glass repair shop" means any person, including the person's employees and agents, that for consideration engages in the repair or replacement of damaged motor vehicle glass;
 - (d) "Person" includes:
 1. A natural person;
 2. Any type or form of corporation, company, partnership, proprietorship, association, or other legal entity; and
 3. A government, governmental subdivision or agency, or other body politic; and
 - (e) "Repair or replacement of damaged motor vehicle glass" includes:
 1. Inspecting, repairing, restoring, or replacing damaged motor vehicle glass; and
 2. Calibrating or recalibrating an advanced driver assistance system when an incident requires the replacement of damaged motor vehicle glass.
- (2) Any motor vehicle insurance policy issued by an admitted or nonadmitted carrier that provides comprehensive coverage or other than collision coverage, whether designated as such or included within a broader coverage, shall, when the claim is for motor vehicle glass only, provide complete coverage for repair or replacement of damaged motor vehicle glass without regard to any deductible or minimum amount.
- (3)
 - (a) An insured that makes a first-party claim for a repair or replacement of damaged motor vehicle glass under a motor vehicle insurance policy shall not be required to use a particular motor vehicle glass repair shop to receive claim payments or other benefits under the policy.
 - (b) This subsection shall not be construed to:
 1. Prohibit an insurer, insurance agent, insurance adjuster, or any person acting on behalf of an insurer, insurance agent, or insurance adjuster from providing an explanation to an insured of the coverage available,

- and any applicable liability limit, under any insurance policy;
2. Prohibit an insurer from maintaining a network of motor vehicle glass repair shops; or
 3. Create a private right of action.

Effective: April 2, 2024

History: Amended 2024 Ky. Acts ch. 27, sec. 2, effective April 2, 2024. -- Created 1978 Ky. Acts ch. 344, sec. 1, effective June 17, 1978.

Legislative Research Commission Note (4/2/2024). 2024 Ky. Acts ch. 27, sec. 6, provides that amendments made to this statute in that Act shall apply to insurance policies issued or renewed on or after April 2, 2024.