

1 AN ACT relating to insurance for motor vehicle repairs.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 304.12-275 is amended to read as follows:

4 (1) **(a)** An insurer shall inform a claimant upon notification of a motor vehicle  
5 damage claim that he or she has the right to choose the repair facility of his or  
6 her choice to repair a damaged vehicle.

7 ~~**(b)**~~~~(2)~~ After July 12, 2012, all appraisals shall include the following notice,  
8 printed in not less than ten (10) point, boldfaced type: "NOTICE: UNDER  
9 KENTUCKY LAW, THE CONSUMER AND/OR LESSEE HAS THE  
10 RIGHT TO CHOOSE THE REPAIR FACILITY TO MAKE REPAIRS TO  
11 HIS OR HER MOTOR VEHICLE."

12 **(2) (a) An insurer making a payment for motor vehicle repairs shall pay a fair and**  
13 **reasonable amount for the repairs.**

14 **(b) When determining the amount that shall be paid for motor vehicle repairs,**  
15 **the insurer shall not rely on or consider survey data.**

16 (3) The obligations set forth in this section shall not apply to the replacement or repair  
17 of automobile glass.