

No. 2016-13

AN ACT

HB 1638

Amending the act of December 29, 1972 (P.L.1713, No.367), entitled "An act concerning motor vehicle physical damage appraisers; providing for the licensing of persons engaged in appraising physical damages to motor vehicles; fixing fees and prescribing unlawful acts and penalties," further providing for compliance with act.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 11(b), (c) and (e) of the act of December 29, 1972 (P.L.1713, No.367), known as the Motor Vehicle Physical Damage Appraiser Act, are amended to read:

Section 11. Compliance with Act.—* * *

(b) The appraiser shall ~~[leave]~~ *furnish* a legible copy of his appraisal ~~[with that of]~~ *to* the repair shop selected by the consumer to make the repairs and also furnish a copy to the owner of the vehicle. This appraisal shall contain the name of the insurance company ordering it, if any, the insurance file number, the number of the appraiser's license and the proper identification number of the vehicle being inspected. All unrelated or old damage should be clearly indicated on the appraisal which shall include an itemized listing of all damages, specifying those parts to be replaced or repaired. Because an appraiser is charged with a high degree of regard for the public safety, the operational safety of the vehicle shall be paramount in considering the specification of new parts. This consideration is vitally important where the parts involved pertain to the drive train, steering gear, suspension units, brake system or tires.

(c) ~~[No appraiser shall secure or use repair estimates that have been obtained by the use of photographs, telephone calls or in any manner other than a personal inspection.]~~ *An appraiser may prepare a repair estimate obtained by personal inspection or by photographs, videos or telephonic means. An appraiser may not require the submission of photographs or videos in order to obtain an appraisal. An appraiser, or an insurer as part of the appraisal process, shall disclose to the owner of the vehicle that there is no requirement to submit photographs or videos in order to obtain an appraisal.*

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(e) ~~[Every appraiser shall promptly reinspect damaged vehicles prior to the repairs in question when supplementary allowances are requested by repair shops and the amount or extent of damages is in dispute.]~~ *Supplemental repair estimates that become necessary after the repair work has been initiated due to discovery of additional damage to the motor vehicle may be made by personal inspection or by photographs, videos or telephonic means, provided that in the case of disputed repairs a personal inspection shall be required.*

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Section 2. This act shall take effect in 60 days.

APPROVED—The 14th day of April, A.D. 2016

TOM WOLF