1999 - 2000 LEGISLATURE

SENATE AMENDMENT 1, TO SENATE SUBSTITUTE AMENDMENT 1, TO 1999 SENATE BILL 63

March 21, 2000 – Offered by Senator FARROW.

- At the locations indicated, amend the substitute amendment as follows:
 1. Page 1, line 7: after "vehicle," insert "requiring the insured to pay the
 difference in cost between original manufacturer replacement parts and nonoriginal
 manufacturer replacement parts,".
 2. Page 3, line 21: after "vehicle" insert ", and that if the insured chooses to
- Z. Page 3, line 21: after "vehicle" insert ", and that if the insured chooses to
 have those parts used in the repair the insured may be required to pay any difference
 in cost between those parts and nonoriginal manufacturer replacement parts".
- 8 **3.** Page 3, line 24: after "(c)" insert ", but that the insured may be required to 9 pay any difference in cost between replacement parts made by or for the 10 manufacturer of the insured's motor vehicle and nonoriginal manufacturer 11 replacement parts".
 - **4.** Page 4, line 22: after that line insert:

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"(am) A statement that, if the insured does not acknowledge the use of nonoriginal manufacturer replacements in the repair and chooses to have replacement parts made by or for the manufacturer of the insured's motor vehicle used in the repair, the insured may be required to pay any difference in cost between replacement parts made by or for the manufacturer of the insured's motor vehicle and nonoriginal manufacturer replacement parts.".

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5. Page 5, line 23: after that line insert:

8 **"SECTION 20m.** 632.38 (4m) of the statutes is created to read:

9 632.38 (4m) REQUIRING INSURED TO PAY COST DIFFERENCE. In the repair of an 10 insured's motor vehicle, the insurer or the insurer's representative may require the 11 insured to pay the difference in cost between a replacement part made by or for the 12 manufacturer of the insured's motor vehicle and the same replacement part that is 13 a nonoriginal manufacturer replacement part if all of the following apply:

14 (a) The replacement part made by or for the manufacturer of the insured's
15 motor vehicle costs more than the nonoriginal manufacturer replacement part.

(b) The insurer or insurer's representative provides to the insured in the
manner required under sub. (3) the notice and authorization form described in sub.
(2) or the notice and acknowledgment form described in sub. (2m), whichever is
appropriate.

20 (c) The insured chooses to have the replacement part made by or for the
21 manufacturer of the insured's motor vehicle used in the repair.".

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(END)