



## 2015 ASSEMBLY BILL 119

March 27, 2015 – Introduced by Representatives E. BROOKS, TITTL, KNODL, KERKMAN, MURTHA, MURSAU, BERNIER, R. BROOKS, T. LARSON, SKOWRONSKI and QUINN, cosponsored by Senators MARKLEIN, RINGHAND and BEWLEY. Referred to Committee on Insurance.

1     **AN ACT** *to create* 632.375 of the statutes; **relating to:** motor vehicle repair  
2             practices.

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*Analysis by the Legislative Reference Bureau*

Current law prohibits an insurer that issues a motor vehicle insurance policy that covers the repair or replacement of motor vehicle glass from conditioning the coverage on whether the insured or a third party making a claim under the policy obtains services or parts from a particular vendor specified by the insurer.

This bill prohibits an insurer that issues a motor vehicle insurance policy that covers repairs to a motor vehicle from: 1) requiring that repairs must be made by a particular contractor or repair facility as a condition of that coverage; or 2) failing to initiate or conclude with due dispatch an investigation of a claim for repairs on the basis of whether the repair will be made by a particular contractor or repair facility. The bill provides that, for purposes of the prohibition on insurers from requiring insureds to use a particular repair facility, a consumer has the right to select the motor vehicle repair facility of his or her choice.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

3             **SECTION 1.** 632.375 of the statutes is created to read:  
4             **632.375 Motor vehicle repair practices; restriction on specifying**  
5     **vendor. (1) SCOPE.** This section applies to every insurer that issues or delivers in

**ASSEMBLY BILL 119****SECTION 1**

1 this state a motor vehicle insurance policy that covers repairs to a motor vehicle  
2 registered or principally garaged in this state.

3 (2) PROHIBITED PRACTICES. (a) No insurer may require that, as a condition of  
4 the coverage specified in sub. (1), repairs to a motor vehicle must be made by a  
5 particular contractor or repair facility. For purposes of this section, a consumer has  
6 the right to select the motor vehicle repair facility of his or her choice.

7 (b) No insurer may fail to initiate or conclude with due dispatch an  
8 investigation of a claim for repairs to a motor vehicle on the basis of whether the  
9 repairs will be made by a particular contractor or repair facility.

10 (3) INAPPLICABILITY TO GLASS REPAIR. Section 632.37, rather than this section,  
11 applies to the repair or replacement of motor vehicle glass under a motor vehicle  
12 insurance policy.

13 **SECTION 2. Initial applicability.**

14 (1) Except as provided in subsection (2), this act first applies to a claim made  
15 under a motor vehicle insurance policy on the effective date of this subsection.

16 (2) If a motor vehicle insurance policy that is in effect on the effective date of  
17 this subsection contains a provision that is inconsistent with this act, this act first  
18 applies to a claim made under that motor vehicle insurance policy on the date on  
19 which the policy is renewed.

20 (END)