

House File 2543 - Introduced

HOUSE FILE 2543
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HF 2055)

A BILL FOR

1 An Act relating to the inclusion of the value of child
2 restraint systems in the partial loss or total loss
3 calculation for specified insurance settlements of
4 first-party automobile losses and including applicability
5 provisions.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 507B.4D Automobile loss settlements
2 — child restraint systems.

3 1. If an automobile insurance policy provides for the
4 settlement of a first-party automobile partial loss or total
5 loss, a person shall include the value of any child restraint
6 system that is located in an automobile at the time the
7 automobile is subject to a partial loss that equals or exceeds
8 five thousand dollars in damage, or at the time the automobile
9 is totaled in the loss calculation. For purposes of this
10 section, "automobile" has the same meaning as defined in section
11 321.1, subsection 42, paragraph "d", and "child restraint
12 system" has the same meaning as defined in section 321.446,
13 subsection 7.

14 2. The commissioner of insurance shall adopt rules pursuant
15 to chapter 17A as necessary to administer this section.

16 Sec. 2. APPLICABILITY. This Act applies to first-party
17 automobile partial losses, and first-party automobile total
18 losses, for automobiles that are subject to a partial loss or
19 to a total loss occurring on or after July 1, 2020.

20 EXPLANATION

21 The inclusion of this explanation does not constitute agreement with
22 the explanation's substance by the members of the general assembly.

23 This bill relates to the inclusion of the value of child
24 restraint systems in the partial or total loss calculation
25 for insurance settlements of first-party automobile partial
26 or total losses. The bill requires a person to include the
27 value of any child restraint systems that are located in an
28 automobile at the time the automobile is subject to a partial
29 loss that equals or exceeds \$5,000 in damage or at the time the
30 automobile is totaled in the loss calculation. "Automobile"
31 is defined in the bill as a motor vehicle designed primarily
32 for carrying nine passengers or less, excluding motorcycles
33 and motorized bicycles. The bill defines "child restraint
34 system" as a specially designed seating system, including a
35 belt-positioning seat or a booster seat, that meets federal

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1 motor vehicle safety standards set forth in 49 C.F.R. §571.213.
2 The bill applies to first-party automobile partial or total
3 losses for automobiles that are subject to a partial or total
4 loss occurring on or after July 1, 2020.