

Senate File 332 - Introduced

SENATE FILE 332

BY ZAUN

A BILL FOR

1 An Act relating to motor vehicle damage repair under motor
2 vehicle insurance policies and deceptive acts or practices
3 by motor vehicle insurers.

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

1 Section 1. Section 507B.4, subsection 3, paragraph j, Code
2 2019, is amended by adding the following new subparagraph:

3 NEW SUBPARAGRAPH. (16) Failing to comply with section
4 537B.7, subsection 2.

5 Sec. 2. Section 507B.6, subsection 1, Code 2019, is amended
6 to read as follows:

7 1. Whenever the commissioner believes that any person has
8 been engaged or is engaging in this state in any unfair method
9 of competition or any unfair or deceptive act or practice
10 whether or not defined in section 507B.4, 507B.4A, or 507B.5,
11 or 537B.7, and that a proceeding by the commissioner in respect
12 to such method of competition or unfair or deceptive act or
13 practice would be in the public interest, the commissioner
14 shall issue and serve upon ~~such~~ the person a statement of the
15 charges in that respect and a notice of a hearing on ~~such~~ the
16 charges ~~to~~. The hearing shall be held at a time and place fixed
17 in the notice, which shall not be less than ten days after the
18 date of the service of ~~such~~ the notice.

19 Sec. 3. Section 507B.12, subsection 1, Code 2019, is amended
20 to read as follows:

21 1. The commissioner may, after notice and hearing,
22 promulgate reasonable rules, as are necessary or proper to
23 identify specific methods of competition or acts or practices
24 which are prohibited by section 507B.4, 507B.4A, or 507B.5,
25 or 537B.7, but the rules shall not enlarge upon or extend the
26 provisions of such sections. Such rules shall be subject to
27 review in accordance with chapter 17A.

28 Sec. 4. NEW SECTION. 537B.7 Deceptive act or practice —
29 insurer.

30 1. As used in this section:

31 a. "*Claimant*" means a person seeking a repair of a motor
32 vehicle whether that person is the insured person or a third
33 party making a claim against the insurer.

34 b. "*Motor vehicle*" means the same as defined in section
35 537B.4.

