

**House File 164 - Introduced**

HOUSE FILE 164

BY NORDMAN

**A BILL FOR**

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

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

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

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

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

14 Sec. 2. APPLICABILITY. This Act applies to first-party  
15 automobile partial losses for automobiles that are subject to a  
16 partial loss occurring on or after July 1, 2021.

17 EXPLANATION

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

20 This bill relates to the inclusion of the value of child  
21 restraint systems in the partial loss calculation for insurance  
22 settlements of first-party automobile partial losses. The bill  
23 requires a person to include the value of any child restraint  
24 systems that are located in an automobile at the time the  
25 automobile is subject to a partial loss that equals or exceeds  
26 \$5,000 in damage. "Automobile" is defined in the bill as a  
27 motor vehicle designed primarily for carrying nine passengers  
28 or less, excluding motorcycles and motorized bicycles. The  
29 bill defines "child restraint system" as a specially designed  
30 seating system, including a belt-positioning seat or a booster  
31 seat, that meets federal motor vehicle safety standards set  
32 forth in 49 C.F.R. §571.213.

33 The bill applies to first-party automobile partial losses  
34 for automobiles that are subject to a partial loss occurring on  
35 or after July 1, 2021.