

House File 324 - Introduced

HOUSE FILE 324

BY YOUNG and 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. For purposes of this section, "automobile"
8 has the same meaning as defined in section 321.1, subsection
9 42, paragraph "d", and "child restraint system" has the same
10 meaning as defined in section 321.446, subsection 7.

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

13 Sec. 2. APPLICABILITY. This Act applies to first-party
14 automobile partial losses for automobiles that are subject to a
15 partial loss occurring on or after July 1, 2023.

16 EXPLANATION

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

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

31 The bill applies to first-party automobile partial losses
32 for automobiles that are subject to a partial loss occurring on
33 or after July 1, 2023.