State of Arkansas *As Engrossed: S4/7/25*
95th General Assembly
A Bill
Regular Session, 2025 SENATE BILL 602

By: Senator Crowell
By: Representative Wooldridge

Filed with: Arkansas Legislative Council
pursuant to A.C.A. §10-3-217.

For An Act To Be Entitled

AN ACT TO PROHIBIT INSURANCE COMPANIES AND APPRAISERS FROM REQUIRING AN INSURED TO USE CERTAIN FACILITIES TO REPAIR OR REPLACE DAMAGED MOTOR VEHICLE SAFETY GLASS; TO PROVIDE PENALTIES FOR VIOLATIONS; AND FOR OTHER PURPOSES.

Subtitle

TO PROHIBIT INSURANCE COMPANIES AND APPRAISERS FROM REQUIRING AN INSURED TO USE CERTAIN FACILITIES TO REPAIR OR REPLACE DAMAGED MOTOR VEHICLE SAFETY GLASS; AND TO PROVIDE PENALTIES FOR VIOLATIONS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Title 23, Chapter 66, Subchapter 3, is amended to add an additional section to read as follows:

<u>23-66-322. Motor vehicle safety glass repair practices — Definition.</u>

<u>(a) As used in this section, "motor vehicle safety glass" means glass for which a deductible shall not be applied under this section when being repaired or replaced.</u>

<u>(b) A motor vehicle physical damage appraiser shall not require that motor vehicle safety glass repair or replacement work be performed or not be</u>

performed in or by a specified facility or glass shop.

(c) An insurance company doing business in this state or a third-party claims administrator, agent, or adjuster for an insurance company doing business in this state shall not:

(1) Require an insured *to use* a specific person for the provision of motor vehicle safety glass repair or replacement work; or

(2) State that choosing a facility other than a glass shop participating in a motor vehicle safety glass repair or replacement work program established by the insurance company will or may result in delays in or a lack of guarantee for the motor vehicle safety glass work.

(d)(1) If there is any communication between a glass claims representative for an insurance company doing business in this state or a third-party claims administrator for the insurance company and an insured regarding motor vehicle safety glass repair or replacement work or motor vehicle glass products, in the initial contact with the insured, the representative or third-party claims administrator shall state or disclose to the insured a statement substantially similar to the following:
"You have the right to choose a glass shop where the damage to your motor vehicle will be repaired. If you have a preference, please let us know.".

(2) Unless a glass claims representative for an insurance company doing business in this state or a third-party claims administrator for the insurance company provides the insured with the name of at least one (1) additional glass shop in the area where the motor vehicle safety glass work is to be performed, the claims representative or the claims administrator shall not provide an insured with the name of, schedule an appointment for an insured with, or direct an insured to, a glass shop that is owned by:

(A) The insurance company;

(B) The claims administrator; or

(C) The same parent company as the insurance company or the claims administrator.

(e) In addition to the penalties available under the Trade Practices Act, § 23-66-201 et seq., a violation of this section is:

(1) An unfair trade practice under the Deceptive Trade Practices Act, § 4-88-101 et seq.; and

(2) Subject to remedies and penalties under the Deceptive Trade

Practices Act, § 4-88-101 et seq.

/s/Crowell

Referred by Senator Crowell
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