

Senators Tillery of the 19th, Strickland of the 42nd, and McNeel of the 18th offered the following amendment #1:

1 *Amend the Senate substitute to HB 77 (LC 39 4901S) by inserting before "to provide for*
2 *related matters;" on line 3 the following after the word procession:*

3 *to amend Code Section 33-34-6 of the Official Code of Georgia Annotated, relating to*
4 *selection of motor vehicle repair facility, so as to provide for claims processing of repairs*
5 *under motor vehicle liability insurance policies; to provide for certain disclosures; to provide*
6 *for private causes of action;*

7 *By inserting after line 58 the following:*

8 **SECTION 1A.**

9 Code Section 33-34-6 of the Official Code of Georgia Annotated, relating to selection of
10 motor vehicle repair facility, is amended by striking subsections (a) and (b) and by adding
11 new subsections to read as follows:

12 "(a) All policies of motor vehicle liability insurance shall allow a claimant under such
13 policy to select the repair facility to provide repairs covered under such policy. An insurer
14 shall disclose when such insurer has a financial interest in a repair facility. No insurer shall
15 represent that the use of or failure to use a repair facility may affect payments or repairs.

16 (b) An insurer providing coverage under a motor vehicle liability insurance policy shall,
17 upon receipt of any claim of supplemental damage, within three business days, complete
18 an inspection of the damaged motor vehicle in person or review the claim and provide a
19 written response and, within ten business days, provide a written decision indicating the
20 line items, parts, or operations that are approved, denied, or altered.

21 (c) Any claimant aggrieved by a violation of the provisions of this Code section shall have
22 a private cause of action for injunctive relief, treble damages, and any other relief available
23 under law."