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L.D 1540

“An Act to Protect Consumers Freedom of Choice in Auto Collision Repairs”

Testimony of Representative Jonathan Kinney

Senator Whittemore, Representative Lawrence and members of the Insurance and Financial Affairs Committee, I am Representative Jonathan Kinney and I represent District 22, which includes Limington and parts of Limerick, Buxton and Standish.

I thank you for the opportunity to speak on L.D 1540, “An Act to Protect Consumers Freedom of Choice in Auto Collision Repairs”. This bill continues the long standing American tradition of free competition when getting our motor vehicle repaired.

Section 1, Part 2 of this bill simply clarifies that insurers may not take any part in the consumers choice of where they get their cars fixed when an insurance claim is involved.

Maine has an increasing population of elderly and young drivers who, in the event of an accident, may not be aware that they have the choice of the business to get the repairs done. These folks are very susceptible to a ‘sales pitch’ for the body shop of the Insurers choice. The claims report scripts section of this bill will create the same expectations for all who file a claim with their insurance companies.

I like the wording other states have used below that hold all insurance companies to the same standard.....specifically states that you may have your vehicle repaired at the shop of your choice.

Colorado - 10-4-120 An insurer or its agent shall inform the beneficiary or claimant that he or she may select any repair business of his or her choosing, and if the insurer chooses, the insurer may also inform the beneficiary or claimant that the insurer can provide a list of repair businesses for the beneficiary or claimant to consider.

Maryland - You are not required to use a specific auto body repair shop; you may have your vehicle repaired at the shop of your choice. Maryland law prohibits an insurer or an

adjuster from requiring that a certain repair shop be used or from recommending a particular shop without notifying the claimant or the insured that their vehicle may be repaired by the auto shop of their choice.

I would ask the committee to ask any of the body shop owners here today to attend the work session if they need any additional information.

We need to help keep our small businesses in equal competition and this bill fairly helps that goal.