The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Beth O'Quin.

## DIGEST 2022 Regular Session

Morris

<u>Proposed law</u> requires the commissioner of insurance to promulgate certain rules and regulations relative to a waiver of liability (waiver) form when all of the following apply:

- (1) The insurer refused to pay the collision shop for repairs or services to bring the motor vehicle to manufacturer's specifications.
  - (2) Requires the insurer notify the insured in writing that the insurer is not paying for repairs or services to bring a motor vehicle to manufacturer's specifications and provides the insured an opportunity to pay for the repairs or services that are specifically listed in the waiver to the insured.
  - (3) The repairs and services are required or recommended by the manufacturer and are documented in information or literature from the manufacturer.
  - (4) The insured signs the waiver if the collision shop did not repair or do the services to the motor vehicle's manufacturer's specifications.

<u>Proposed law</u> provides the waiver does not relieve the collision shop from the duty of care or negligence but only provides that if an accident, injury, or property damage occurs that is caused by not doing the manufacturer's specified repairs and both the insurer involved and the insured refused to pay for the specified repairs or services and the collision shop is not liable.

Effective January 1, 2023

(Add R.S. 22:1284.2)

SB 487 Original