
 THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. **1638** Session of
2015

INTRODUCED BY TOBASH, PICKETT, DeLUCA, MILLARD, D. COSTA, COHEN,
BIZZARRO, HELM, A. HARRIS, LAWRENCE, ZIMMERMAN, READSHAW AND
SIMMONS, OCTOBER 20, 2015

AS AMENDED ON THIRD CONSIDERATION, IN SENATE, MARCH 21, 2016

AN ACT

1 Amending the act of December 29, 1972 (P.L.1713, No.367),
2 entitled "An act concerning motor vehicle physical damage
3 appraisers; providing for the licensing of persons engaged in
4 appraising physical damages to motor vehicles; fixing fees
5 and prescribing unlawful acts and penalties," further
6 providing for compliance with act.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. Section 11(b) ~~and (c)~~, (C) AND (E) of the act of <--
10 December 29, 1972 (P.L.1713, No.367), known as the Motor Vehicle
11 Physical Damage Appraiser Act, are amended to read:

12 Section 11. Compliance with Act.--* * *

13 (b) The appraiser shall [leave] furnish a legible copy of
14 his appraisal [with {that of}] TO the repair shop selected by the <--
15 consumer to make the repairs and also furnish a copy to the
16 owner of the vehicle. This appraisal shall contain the name of
17 the insurance company ordering it, if any, the insurance file
18 number, the number of the appraiser's license and the proper
19 identification number of the vehicle being inspected. All

1 unrelated or old damage should be clearly indicated on the
2 appraisal which shall include an itemized listing of all
3 damages, specifying those parts to be replaced or repaired.
4 Because an appraiser is charged with a high degree of regard for
5 the public safety, the operational safety of the vehicle shall
6 be paramount in considering the specification of new parts. This
7 consideration is vitally important where the parts involved
8 pertain to the drive train, steering gear, suspension units,
9 brake system or tires.

10 (c) [No appraiser shall secure or use repair estimates that
11 have been obtained by the use of photographs, telephone calls or
12 in any manner other than a personal inspection.] An appraiser
13 may prepare a repair estimate obtained by personal inspection or
14 by photographs, videos or telephonic means. An appraiser may not
15 require the submission of photographs or videos in order to
16 obtain an appraisal. An appraiser, or an insurer as part of the
17 appraisal process, shall disclose to the owner of the vehicle
18 that there is no requirement to submit photographs or videos in
19 order to obtain an appraisal.

20 * * *

21 (E) [EVERY APPRAISER SHALL PROMPTLY REINSPECT DAMAGED <--
22 VEHICLES PRIOR TO THE REPAIRS IN QUESTION WHEN SUPPLEMENTARY
23 ALLOWANCES ARE REQUESTED BY REPAIR SHOPS AND THE AMOUNT OR
24 EXTENT OF DAMAGES IS IN DISPUTE.] SUPPLEMENTAL REPAIR ESTIMATES
25 THAT BECOME NECESSARY AFTER THE REPAIR WORK HAS BEEN INITIATED
26 DUE TO DISCOVERY OF ADDITIONAL DAMAGE TO THE MOTOR VEHICLE MAY
27 BE MADE BY PERSONAL INSPECTION OR BY PHOTOGRAPHS, VIDEOS OR
28 TELEPHONIC MEANS, PROVIDED THAT IN THE CASE OF DISPUTED REPAIRS
29 A PERSONAL INSPECTION SHALL BE REQUIRED.

30 * * *

1 Section 2. This act shall take effect in 60 days.