






ASA Direct Repair Survey

A report prepared by the Automotive Service Association ® (ASA).

The following report was completed by the Washington, D.C. Legislative Office of the Automotive Service Association in September 2000.

To compile the report, ASA contacted the State Attorney Generals and Departments of Insurance (or their state equivalents) in all 50 states and the District of Columbia. Additionally, ASA researched the Library of Congress Law Library and state law Internet sites. We believe the information to be complete and accurate, but we welcome any comments or additions. Comments may be sent via e-mail to asainfo@asashop.org or by calling (202) 543-1440.

Information is listed alphabetically, by state.

 <p>Alabama</p>	<ol style="list-style-type: none"> 1. Does your state prohibit DRPs? No 2. Does your state prohibit insurance companies from requiring repairs be done in specific facilities? There are no statutes or regulations addressing this. 3. Does your state have regulations or DRP provisions for glass replacement or repair only? No 4. Does your state have regulations that require insurance companies to inform customers of their right to choose repair facilities? There are no statutes or regulations addressing this.
 <p>Alaska</p>	<ol style="list-style-type: none"> 1. Does your state prohibit DRPs? No 2. Does your state prohibit insurance companies from requiring repairs be done in specific facilities? No 3. Does your state have regulations or DRP provisions for glass replacement or repair only? No 4. Does your state have regulations that require insurance companies to inform customers of their right to choose repair facilities? No
 <p>Arizona</p>	<ol style="list-style-type: none"> 1. Does your state prohibit DRPs? No 2. Does your state prohibit insurance companies from requiring repairs be done in specific facilities? No 3. Does your state have regulations or DRP provisions for glass replacement or repair only? No 4. Does your state have regulations that require insurance companies to inform customers of their right to choose repair facilities? No
	<ol style="list-style-type: none"> 1. Does your state prohibit DRPs? No. However, as a matter of public policy we would insist that the insured retain the right to have his vehicle repaired at the facility of his choice. However, that does not mean that the insurer cannot set an amount for repair. If the insured wants a specific facility to make the repair, which is more expensive



Arkansas

than the other estimates obtained by the insured, the insured pays the difference.

- 2. Does your state prohibit insurance companies from requiring repairs be done in specific facilities? Yes
- 3. Does your state have regulations or DRP provisions for glass replacement or repair only? No
- 4. Does your state have regulations that require insurance companies to inform customers of their right to choose repair facilities? No. It is the decision of the insured.



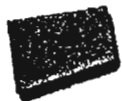
California

- 1. Does your state prohibit DRPs? Yes, under the Fair Claims Settlement Practices Regulations, California does have regulations that deal with the DRP issue. These regulations are contained on the California Code of Regulations, Title 10, Chapter 5, subchapter 7.5, and Section 2695.8 (e):
- 2. Does your state prohibit insurance companies from requiring repairs be done in specific facilities? Yes, please see the above. While there is a prohibition against "requiring", the insurer can "direct, suggest or recommend" that a specific facility be used under certain conditions.
- 3. Does your state have regulations or DRP provisions for glass replacement or repair only? No, there are no specific regulations dealing only with glass repair and replacement. However, the regulation above would still apply to glass repairs.
- 4. Does your state have regulations that require insurance companies to inform customers of their right to choose repair facilities? Yes, please see the above-cited regulation.



Colorado




- 1. Does your state prohibit DRPs? No
- 2. Does your state prohibit insurance companies from requiring repairs be done in specific facilities? No
- 3. Does your state have regulations or DRP provisions for glass replacement or repair only? No
- 4. Does your state have regulations that require insurance companies to inform customers of their right to choose repair facilities? No








Connecticut






- 1. Does your state prohibit DRPs? No
- 2. Does your state prohibit insurance companies from requiring repairs be done in specific facilities? Yes
- 3. Does your state have regulations or DRP provisions for glass replacement or repair only? Yes
- 4. Does your state have regulations that require insurance companies to inform customers of their right to choose repair facilities? Yes





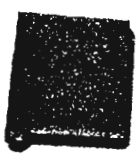
- 1. Does your state prohibit DRPs? Yes. In Delaware an insurance company cannot direct a consumer to a particular repair shop. The insurance company can provide the consumer with a list of






 <p>Delaware</p>	<p>body/repair shops. The consumer does not have to use a shop listed, but may have to pay some costs out of pocket if using a shop not on the provided list.</p> <ol style="list-style-type: none"> 2. Does your state prohibit insurance companies from requiring repairs be done in specific facilities? Yes. No insurance company shall require that automobile glass repair or replacement work must be performed by a particular facility as a condition of payment of claim. 3. Does your state have regulations or DRP provisions for glass replacement or repair only? See answers to questions 1 and 2 above. 4. Does your state have regulations that require insurance companies to inform customers of their right to choose repair facilities? No. However, Delaware is currently drafting a regulation to require such disclosure.
 <p>Florida</p>	<ol style="list-style-type: none"> 1. Does your state prohibit DRPs? No. However, the DRP must be included in the policy or by endorsement attached to the policy. No insurer may require a claimant to travel unreasonable distances to a repair facility. 2. Does your state prohibit insurance companies from requiring repairs be done in specific facilities? While there is no statute which specifically prohibits an insurance company from requiring the consumer to have repairs done at a specific facility, the insurance contract itself states that the company agrees to pay for direct and accidental loss to a covered auto, and there is no limitation as to where it must be repaired. 3. Does your state have regulations or DRP provisions for glass replacement or repair only? No 4. Does your state have regulations that require insurance companies to inform customers of their right to choose repair facilities? No
 <p>Georgia</p>	<ol style="list-style-type: none"> 1. Does your state prohibit DRPs? No 2. Does your state prohibit insurance companies from requiring repairs be done in specific facilities? Yes. Failure to use a particular repair facility is not reason for nonpayment of claim by the insurer. 3. Does your state have regulations or DRP provisions for glass replacement or repair only? No 4. Does your state have regulations that require insurance companies to inform customers of their right to choose repair facilities? Yes
	<ol style="list-style-type: none"> 1. Does your state prohibit DRPs? No 2. Does your state prohibit insurance companies from requiring repairs be done in specific facilities? Yes, Insurers must offer a choice of no less than two preferred repair providers to the claimant. 3. Does your state have regulations or DRP provisions for glass replacement or repair only? No





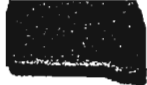
 Hawaii	<p>4. Does your state have regulations that require insurance companies to inform customers of their right to choose repair facilities? Yes</p>
 Idaho	<ol style="list-style-type: none"> 1. Does your state prohibit DRPs? No 2. Does your state prohibit insurance companies from requiring repairs be done in specific facilities? No 3. Does your state have regulations or DRP provisions for glass replacement or repair only? No 4. Does your state have regulations that require insurance companies to inform customers of their right to choose repair facilities? No
 Illinois	<ol style="list-style-type: none"> 1. Does your state prohibit DRPs? No 2. Does your state prohibit insurance companies from requiring repairs be done in specific facilities? No 3. Does your state have regulations or DRP provisions for glass replacement or repair only? Yes 4. Does your state have regulations that require insurance companies to inform customers of their right to choose repair facilities? No, the secretary of state regulates repair facilities.
 Indiana	<ol style="list-style-type: none"> 1. Does your state prohibit DRPs? No 2. Does your state prohibit insurance companies from requiring repairs be done in specific facilities? No 3. Does your state have regulations or DRP provisions for glass replacement or repair only? Yes 4. Does your state have regulations that require insurance companies to inform customers of their right to choose repair facilities? No
 Iowa	<ol style="list-style-type: none"> 1. Does your state prohibit DRPs? No 2. Does your state prohibit insurance companies from requiring repairs be done in specific facilities? No 3. Does your state have regulations or DRP provisions for glass replacement or repair only? Yes 4. Does your state have regulations that require insurance companies to inform customers of their right to choose repair facilities? No
	<ol style="list-style-type: none"> 1. Does your state prohibit DRPs? Yes. State statute KSA 40-2,155 states that any insurance company may not require that the insured use a particular company, intimidate or mislead the insured to use a particular company, or pay more for vehicle glass replacement or repair services than the lowest prevailing market price. 2. Does your state prohibit insurance companies from requiring repairs be done in specific facilities? Yes, see the above statute.

 Kansas	<ol style="list-style-type: none"> 3. Does your state have regulations or DRP provisions for glass replacement or repair only? Yes, see the above statute. 4. Does your state have regulations that require insurance companies to inform customers of their right to choose repair facilities? Yes, see the above statute.
 Kentucky	<ol style="list-style-type: none"> 1. Does your state prohibit DRPs? Yes 2. Does your state prohibit insurance companies from requiring repairs be done in specific facilities? Yes 3. Does your state have regulations or DRP provisions for glass replacement or repair only? Yes 4. Does your state have regulations that require insurance companies to inform customers of their right to choose repair facilities? Yes
 Louisiana	<ol style="list-style-type: none"> 1. Does your state prohibit DRPs? Yes 2. Does your state prohibit insurance companies from requiring repairs be done in specific facilities? Yes 3. Does your state have regulations or DRP provisions for glass replacement or repair only? Yes 4. Does your state have regulations that require insurance companies to inform customers of their right to choose repair facilities? No
 Maine	<ol style="list-style-type: none"> 1. Does your state prohibit DRPs? Yes 2. Does your state prohibit insurance companies from requiring repairs be done in specific facilities? Yes 3. Does your state have regulations or DRP provisions for glass replacement or repair only? Yes 4. Does your state have regulations that require insurance companies to inform customers of their right to choose repair facilities? No
 Maryland	<ol style="list-style-type: none"> 1. Does your state prohibit DRPs? No 2. Does your state prohibit insurance companies from requiring repairs be done in specific facilities? No 3. Does your state have regulations or DRP provisions for glass replacement or repair only? No 4. Does your state have regulations that require insurance companies to inform customers of their right to choose repair facilities? No
 Massachusetts	<ol style="list-style-type: none"> 1. Does your state prohibit DRPs? No 2. Does your state prohibit insurance companies from requiring repairs be done in specific facilities? No 3. Does your state have regulations or DRP provisions for glass replacement or repair only? No 4. Does your state have regulations that require insurance companies to inform customers of their right to choose repair facilities? No

 <p>Michigan</p>	<ol style="list-style-type: none"> 1. Does your state prohibit DRPs? No 2. Does your state prohibit insurance companies from requiring repairs be done in specific facilities? Yes 3. Does your state have regulations or DRP provisions for glass replacement or repair only? Yes 4. Does your state have regulations that require insurance companies to inform customers of their right to choose repair facilities? No
 <p>Minnesota</p>	<ol style="list-style-type: none"> 1. Does your state prohibit DRPs? Yes 2. Does your state prohibit insurance companies from requiring repairs be done in specific facilities? Yes 3. Does your state have regulations or DRP provisions for glass replacement or repair only? Yes 4. Does your state have regulations that require insurance companies to inform customers of their right to choose repair facilities? Yes
 <p>Mississippi</p>	<ol style="list-style-type: none"> 1. Does your state prohibit DRPs? Yes 2. Does your state prohibit insurance companies from requiring repairs be done in specific facilities? Yes 3. Does your state have regulations or DRP provisions for glass replacement or repair only? Yes 4. Does your state have regulations that require insurance companies to inform customers of their right to choose repair facilities? Yes
 <p>Missouri</p>	<ol style="list-style-type: none"> 1. Does your state prohibit DRPs? No 2. Does your state prohibit insurance companies from requiring repairs be done in specific facilities? Missouri does not allow this. 3. Does your state have regulations or DRP provisions for glass replacement or repair only? No 4. Does your state have regulations that require insurance companies to inform customers of their right to choose repair facilities? No
 <p>Montana</p>	<ol style="list-style-type: none"> 1. Does your state prohibit DRPs? Yes, but allows insurers to provide an insured a list of repair facilities to those companies or locations that meet reasonable standards of quality, service, an safety. 2. Does your state prohibit insurance companies from requiring repairs be done in specific facilities? Yes 3. Does your state have regulations or DRP provisions for glass replacement or repair only? Yes 4. Does your state have regulations that require insurance companies to inform customers of their right to choose repair facilities? No
	<ol style="list-style-type: none"> 1. Does your state prohibit DRPs? No 2. Does your state prohibit insurance companies from requiring repairs be done in specific facilities? Yes

 <p>Nebraska</p>	<ol style="list-style-type: none"> 3. Does your state have regulations or DRP provisions for glass replacement or repair only? Yes 4. Does your state have regulations that require insurance companies to inform customers of their right to choose repair facilities? No
 <p>Nevada</p>	<ol style="list-style-type: none"> 1. Does your state prohibit DRPs? Yes 2. Does your state prohibit insurance companies from requiring repairs be done in specific facilities? Yes 3. Does your state have regulations or DRP provisions for glass replacement or repair only? No 4. Does your state have regulations that require insurance companies to inform customers of their right to choose repair facilities? No
 <p>New Hampshire</p>	<ol style="list-style-type: none"> 1. Does your state prohibit DRPs? Yes 2. Does your state prohibit insurance companies from requiring repairs be done in specific facilities? Yes 3. Does your state have regulations or DRP provisions for glass replacement or repair only? Yes 4. Does your state have regulations that require insurance companies to inform customers of their right to choose repair facilities? Yes
 <p>New Jersey</p>	<ol style="list-style-type: none"> 1. Does your state prohibit DRPs? Yes 2. Does your state prohibit insurance companies from requiring repairs be done in specific facilities? Yes 3. Does your state have regulations or DRP provisions for glass replacement or repair only? The Department has approved policy language "If breakage of glass is caused by a collision, the insured may elect to have it considered a loss caused by collision". 4. Does your state have regulations that require insurance companies to inform customers of their right to choose repair facilities? Yes
 <p>New Mexico</p>	<ol style="list-style-type: none"> 1. Does your state prohibit DRPs? Laws are silent 2. Does your state prohibit insurance companies from requiring repairs be done in specific facilities? Laws are silent 3. Does your state have regulations or DRP provisions for glass replacement or repair only? Laws are silent 4. Does your state have regulations that require insurance companies to inform customers of their right to choose repair facilities? Laws are silent
	<ol style="list-style-type: none"> 1. Does your state prohibit DRPs? Yes 2. Does your state prohibit insurance companies from requiring repairs be done in specific facilities? Yes 3. Does your state have regulations or DRP provisions for glass replacement or repair only? Yes 4. Does your state have regulations that require insurance

 <p>New York</p>	<p>companies to inform customers of their right to choose repair facilities? Yes</p>
 <p>North Carolina</p>	<ol style="list-style-type: none"> 1. Does your state prohibit DRPs? No 2. Does your state prohibit insurance companies from requiring repairs be done in specific facilities? Yes 3. Does your state have regulations or DRP provisions for glass replacement or repair only? No 4. Does your state have regulations that require insurance companies to inform customers of their right to choose repair facilities? Yes
 <p>North Dakota</p>	<ol style="list-style-type: none"> 1. Does your state prohibit DRPs? Laws are silent 2. Does your state prohibit insurance companies from requiring repairs be done in specific facilities? North Dakota's position is the consumer has the right to choose. 3. Does your state have regulations or DRP provisions for glass replacement or repair only? Laws are silent 4. Does your state have regulations that require insurance companies to inform customers of their right to choose repair facilities? No- But in lieu of the department's position companies must not coerce consumers into a specific shop but must give the consumer options.
 <p>Ohio</p>	<ol style="list-style-type: none"> 1. Does your state prohibit DRPs? No laws 2. Does your state prohibit insurance companies from requiring repairs be done in specific facilities? No laws 3. Does your state have regulations or DRP provisions for glass replacement or repair only? No laws 4. Does your state have regulations that require insurance companies to inform customers of their right to choose repair facilities? No laws
 <p>Oklahoma</p>	<ol style="list-style-type: none"> 1. Does your state prohibit DRPs? Yes 2. Does your state prohibit insurance companies from requiring repairs be done in specific facilities? Yes 3. Does your state have regulations or DRP provisions for glass replacement or repair only? Yes 4. Does your state have regulations that require insurance companies to inform customers of their right to choose repair facilities? No
	<ol style="list-style-type: none"> 1. Does your state prohibit DRPs? No 2. Does your state prohibit insurance companies from requiring repairs be done in specific facilities? Yes 3. Does your state have regulations or DRP provisions for glass

 <p>Oregon</p>	<p>replacement or repair only? No</p> <p>4. Does your state have regulations that require insurance companies to inform customers of their right to choose repair facilities? Yes</p>
 <p>Pennsylvania</p>	<p>1. Does your state prohibit DRPs? No</p> <p>2. Does your state prohibit insurance companies from requiring repairs be done in specific facilities? Yes</p> <p>3. Does your state have regulations or DRP provisions for glass replacement or repair only? No</p> <p>4. Does your state have regulations that require insurance companies to inform customers of their right to choose repair facilities? Yes</p>
 <p>Rhode Island</p>	<p>1. Does your state prohibit DRPs? Yes</p> <p>2. Does your state prohibit insurance companies from requiring repairs be done in specific facilities? Yes</p> <p>3. Does your state have regulations or DRP provisions for glass replacement or repair only? There are no specific regulations for glass replacement or repair. The commercial licensing section does issue separate licenses.</p> <p>4. Does your state have regulations that require insurance companies to inform customers of their right to choose repair facilities? Yes</p>
 <p>South Carolina</p>	<p>1. Does your state prohibit DRPs? No</p> <p>2. Does your state prohibit insurance companies from requiring repairs be done in specific facilities? Not specifically. The department has allowed automobile insurers to recommend specific repair facilities to consumers. However, it is the Department's opinion that requiring consumers to have repairs done at any specific facility constitutes an unfair claims practice by the insurer.</p> <p>3. Does your state have regulations or DRP provisions for glass replacement or repair only? See above answer.</p> <p>4. Does your state have regulations that require insurance companies to inform customers of their right to choose repair facilities? South Carolina's insurance laws do not specifically address this issue, and the Department has not formally imposed such a notice requirement on insurers.</p>
 <p>South Dakota</p>	<p>1. Does your state prohibit DRPs? Yes</p> <p>2. Does your state prohibit insurance companies from requiring repairs be done in specific facilities? Yes</p> <p>3. Does your state have regulations or DRP provisions for glass replacement or repair only? Yes</p> <p>4. Does your state have regulations that require insurance companies to inform customers of their right to choose repair facilities? Yes</p>



Tennessee

1. Does your state prohibit DRPs? No
2. Does your state prohibit insurance companies from requiring repairs be done in specific facilities? No
3. Does your state have regulations or DRP provisions for glass replacement or repair only? Yes
4. Does your state have regulations that require insurance companies to inform customers of their right to choose repair facilities? No



Texas

1. Does your state prohibit DRPs? Yes
2. Does your state prohibit insurance companies from requiring repairs be done in specific facilities? Yes
3. Does your state have regulations or DRP provisions for glass replacement or repair only? Yes
4. Does your state have regulations that require insurance companies to inform customers of their right to choose repair facilities? Yes



Utah






1. Does your state prohibit DRPs? No, But insurers shall not require a claimant to travel an unreasonable distance to inspect a replacement automobile, to obtain a repair estimate or to have the automobile repaired at a specific repair shop.
2. Does your state prohibit insurance companies from requiring repairs be done in specific facilities? No, But when the insurer elects to repair and designates a specific repair shop for automobile repairs, the insurer shall cause the damaged automobile to be restored to its condition prior to the loss at no additional cost to the claimant other than as stated in the policy and within a reasonable period of time.
3. Does your state have regulations or DRP provisions for glass replacement or repair only? No
4. Does your state have regulations that require insurance companies to inform customers of their right to choose repair facilities? No



Vermont

1. Does your state prohibit DRPs? No
2. Does your state prohibit insurance companies from requiring repairs be done in specific facilities? No, but with qualifications.
3. Does your state have regulations or DRP provisions for glass replacement or repair only? No
4. Does your state have regulations that require insurance companies to inform customers of their right to choose repair facilities? No

1. Does your state prohibit DRPs? No
2. Does your state prohibit insurance companies from requiring repairs be done in specific facilities? Yes
3. Does your state have regulations or DRP provisions for glass replacement or repair only? No

 <p>Virginia</p>	<p>4. Does your state have regulations that require insurance companies to inform customers of their right to choose repair facilities? No</p>
 <p>Washington</p>	<ol style="list-style-type: none"> 1. Does your state prohibit DRPs? Yes 2. Does your state prohibit insurance companies from requiring repairs be done in specific facilities? Yes 3. Does your state have regulations or DRP provisions for glass replacement or repair only? Yes 4. Does your state have regulations that require insurance companies to inform customers of their right to choose repair facilities? No
 <p>Washington, D.C.</p>	<ol style="list-style-type: none"> 1. Does your state prohibit DRPs? No 2. Does your state prohibit insurance companies from requiring repairs be done in specific facilities? No, but would handle on a case by case basis. 3. Does your state have regulations or DRP provisions for glass replacement or repair only? No 4. Does your state have regulations that require insurance companies to inform customers of their right to choose repair facilities? Possibly, an undefined unfair trade practice- would handle on a case by case basis.
 <p>West Virginia</p>	<ol style="list-style-type: none"> 1. Does your state prohibit DRPs? Yes 2. Does your state prohibit insurance companies from requiring repairs be done in specific facilities? Yes 3. Does your state have regulations or DRP provisions for glass replacement or repair only? Yes 4. Does your state have regulations that require insurance companies to inform customers of their right to choose repair facilities? Yes
 <p>Wisconsin</p>	<ol style="list-style-type: none"> 1. Does your state prohibit DRPs? No 2. Does your state prohibit insurance companies from requiring repairs be done in specific facilities? Yes 3. Does your state have regulations or DRP provisions for glass replacement or repair only? Yes 4. Does your state have regulations that require insurance companies to inform customers of their right to choose repair facilities? No
	<ol style="list-style-type: none"> 1. Does your state prohibit DRPs? No 2. Does your state prohibit insurance companies from requiring repairs be done in specific facilities? No 3. Does your state have regulations or DRP provisions for glass replacement or repair only? No 4. Does your state have regulations that require insurance



Wyoming

companies to inform customers of their right to choose repair facilities? No