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HOUSE BILL 2600

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State of Washington                      63rd Legislature                      2014 Regular Session

By Representatives Kirby, Hudgins, Ryu, Pollet, Moscoso, and Freeman

Read first time 01/22/14.      Referred to Committee on Business & Financial Services.

1            AN ACT Relating to unfair practices by automobile insurers; and  
2 adding a new section to chapter 48.30 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4            NEW SECTION.    **Sec. 1.** A new section is added to chapter 48.30 RCW  
5 to read as follows:

6            (1) Automobile insurers engaged in the business of insurance in  
7 Washington state may not unreasonably fail to pay first and third party  
8 property damage claims for damage to motor vehicles, including  
9 motor-driven cycles and bicycles, by committing any of the unfair acts  
10 set forth in this subsection when liability for a collision is  
11 reasonably clear:

12            (a) Unreasonably refusing to pay a claimant's estimate for repairs  
13 or to pay for a total loss;

14            (b) Unreasonably refusing to pay supplemental repairs necessary to  
15 restore a vehicle to its preloss condition;

16            (c) Failing to advise a claimant in writing that the claimant may  
17 submit a claim to the insurer for the diminished value of the vehicle  
18 to which repairs were made, and unreasonably failing to pay for the  
19 diminished value;

1 (d) Unreasonably electing to repair a vehicle, a motor-driven  
2 cycle, or a bicycle when it should be declared a total loss;

3 (e) Failing to inform claimants of the insurer's guidelines for  
4 electing to repair or replace a vehicle, motorcycle, or bicycle damaged  
5 in a collision; and

6 (f) Otherwise violating any of the provisions of WAC 284-30-390,  
7 284-30-391, 284-30-393, and 284-30-394.

8 (2) Violations of this section violate RCW 19.86.020 and are  
9 subject to the remedial provisions of RCW 19.86.090.

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