

ASSEMBLY BILL NO. 334—ASSEMBLYWOMAN BROWN-MAY

MARCH 17, 2023

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions relating to insurance for motor vehicles. (BDR 57-949)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to insurance; requiring, under certain circumstances, an insurer that requires the inspection or further inspection of a motor vehicle relating to a claim to conduct the inspection or further inspection within a certain period of time; providing an administrative penalty; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires: (1) with certain exceptions, an insurer to approve or deny a claim of its insured relating to a contract of casualty of insurance within 30 days after receiving the claim; and (2) an insurer to notify a policyholder within 20 days after receiving the claim if the insurer requires additional information or time to determine whether to approve or deny the claim. (NRS 690B.012)

Section 1 of this bill provides that if an insurer requires the inspection of a motor vehicle relating to a claim by the insured or a claimant, the insurer shall, within 6 business days after receiving the claim and accepting liability: (1) request that the insured or claimant, as applicable, make the motor vehicle available for inspection; and (2) with certain exceptions, inspect the motor vehicle. **Section 1** further provides that if, in response to a request for a supplemental estimate, the insurer determines that a motor vehicle requires further inspection, the insurer shall, within 6 business days after making such determination: (1) request that the insured or claimant, as applicable, make the motor vehicle available for inspection; and (2) with certain exceptions, inspect the motor vehicle. If the insurer fails to inspect or further inspect the vehicle during the time in which it is required to do so, the insurer waives its right to inspect or further inspect the vehicle and, with certain exceptions, negotiations for payment of the claim are limited to the cost of labor and price of parts. Finally, **section 1** authorizes, under certain circumstances, an insured or claimant, as applicable, or the repair facility to file a complaint against the insurer with the Division of Insurance of the Department of Business and Industry.



THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Chapter 690B of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 1. *If an insurer requires the inspection of a motor vehicle*
4 *relating to a claim by the insured or a claimant, the insurer shall,*
5 *within 6 business days after receiving the claim and accepting*
6 *liability:*

7 (a) *Request that the insured or claimant, as applicable, make*
8 *the motor vehicle available for inspection; and*

9 (b) *Except as otherwise provided in subsection 3, inspect the*
10 *motor vehicle.*

11 2. *If, in response to a request for a supplemental estimate, the*
12 *insurer determines that a motor vehicle requires further*
13 *inspection, the insurer shall, within 6 business days after making*
14 *such determination:*

15 (a) *Request that the insured or claimant, as applicable, make*
16 *the motor vehicle available for further inspection; and*

17 (b) *Except as otherwise provided in subsection 3, conduct such*
18 *further inspection of the motor vehicle.*

19 3. *If the insured or claimant does not make a motor vehicle*
20 *available for inspection or further inspection within 6 business*
21 *days after receiving a request from the insurer pursuant to*
22 *subsection 1 or 2, the insurer shall inspect or further inspect the*
23 *vehicle as soon as practicable after the insured or claimant makes*
24 *the motor vehicle available.*

25 4. *If an insurer fails to inspect the motor vehicle during the*
26 *period required pursuant to subsection 1, 2 or 3, as applicable, the*
27 *insurer waives its right to inspect or further inspect the motor*
28 *vehicle before any repairs are made to the vehicle. Unless the*
29 *repair facility or, as applicable, the insured or claimant allows an*
30 *inspection or further inspection of the vehicle after the period*
31 *required pursuant to subsection 1, 2 or 3, negotiations for payment*
32 *of the claim are limited to the cost of labor and the price of parts*
33 *unless the insurer provides objective evidence to dispute the*
34 *existence of damage or the chosen manner of repair.*

35 5. *The insured or complainant, as applicable, or a repair*
36 *facility may file a complaint against the insurer with the Division*
37 *if the insurer waives its right to inspect or further inspect the*
38 *vehicle and does not limit negotiations for payment of the claim to*
39 *the cost of labor and the price of parts or provide objective*
40 *evidence to dispute the existence of the damage or the chosen*
41 *manner of repair.*



1 6. *If the Division finds the complaint may have a basis in law*
2 *or fact, the Division shall order a hearing to be conducted in*
3 *accordance with the provisions of chapter 233B of NRS that apply*
4 *to a contested case. If the Division or a hearing officer finds that*
5 *the insurer waived its right to inspect or further the vehicle and*
6 *did not limit negotiations for payment of the claim to the cost of*
7 *labor and the price of parts or provide objective evidence to*
8 *dispute the existence of the damage or the chosen manner of*
9 *repair, the Division or hearing officer, as applicable, may require*
10 *the insurer to pay an administrative fine of not more than \$1,500.*

