

By: Representative Wells-Smith

To: Insurance

HOUSE BILL NO. 1319

1 AN ACT TO REQUIRE INSURANCE ADJUSTERS TO DETERMINE THE VALUE
2 OF AUTOMOBILE LOSS BASED ON CERTAIN NATIONALLY RECOGNIZED AUTO
3 VALUATION SYSTEMS USED TO ASSESS THE VEHICLE'S MARKET VALUE
4 IMMEDIATELY BEFORE THE ACCIDENT; TO REQUIRE INSURERS TO COMPENSATE
5 INSURED PERSONS AT A RATE COMPARABLE TO THE RATE ASSIGNED BY A
6 NATIONALLY RECOGNIZED VALUATION SYSTEM; TO ASCRIBE DEFINITIONS FOR
7 CERTAIN TERMS; AND FOR RELATED PURPOSES.

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

9 **SECTION 1.** (1) When determining the value of an automobile
10 damaged and considered a total loss as a result of a collision,
11 accident or natural disaster, the insurance adjuster making the
12 appraisal shall use, as a basis for determination of the
13 automobile's market value immediately before the accident, a
14 nationally recognized automobile valuation system, including, but
15 not limited to:

- 16 (a) Kelly's Blue Book;
17 (b) National Automobile Dealer's Association (NADA);
18 (c) Automatic Data Processing, Inc. (ADP); or
19 (d) CCC Information Services.

20 (2) Insurers, which deliver or issue for delivery policies
21 for motor vehicle insurance in this state to any person in this
22 state, shall compensate insured persons, who are not in default
23 with scheduled premium payments and have taken the appropriate
24 measures to recoup a loss of property, at a rate comparable to the
25 adjusted value as required by subsection (1) of this section.

26 (3) For purposes of this section, the terms "adjuster" and
27 "insurers" shall have the same meaning ascribed in Section
28 83-17-401.

29 **SECTION 2.** This act shall take effect and be in force from
30 and after July 1, 2007.