

By: Representative Chism

To: Insurance

HOUSE BILL NO. 925

1 AN ACT TO AMEND SECTION 83-65-103, MISSISSIPPI CODE OF 1972,  
2 TO REVISE THE DEFINITION OF VEHICLE SERVICE CONTRACT AND PROVIDE A  
3 DEFINITION OF ROAD HAZARD FOR THE LAWS THAT REGULATE VEHICLE  
4 SERVICE CONTRACTS IN THE STATE OF MISSISSIPPI; AND FOR RELATED  
5 PURPOSES.

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

7 **SECTION 1.** Section 83-65-103, Mississippi Code of 1972, is  
8 amended as follows:

9 83-65-103. For the purposes of this chapter:

10 (a) "Commissioner" means the Commissioner of Insurance.

11 (b) "Service contract holder" means a person who  
12 purchases or otherwise obtains a vehicle service contract.

13 (c) "Vehicle service contract" means a contract or  
14 agreement that undertakes to perform or provide repair or  
15 replacement service, or provide payment for that service, for the  
16 operational or structural failure of a motor vehicle due to a  
17 defect in materials, workmanship or normal wear and tear, with or  
18 without additional provision for incidental payment or indemnity  
19 under limited circumstances, including, but not limited to,



20 towing, rental and emergency road service. "Vehicle service  
21 contract" also means a contract or agreement that undertakes to  
22 perform or provide one or more of the following services:

23 (i) The repair or replacement of tires and/or  
24 wheels on a motor vehicle damaged as a result of coming into  
25 contact with road hazards;

26 (ii) The removal of dents, dings or creases on a  
27 motor vehicle that can be repaired using the process of paintless  
28 dent removal without affecting the existing paint finish and  
29 without replacing vehicle body panels, sanding, bonding or  
30 painting;

31 (iii) The repair of chips or cracks in or the  
32 replacement of motor vehicle windshields as a result of damage  
33 caused by road hazards;

34 (iv) The replacement of a motor vehicle key or  
35 key-fob in the event that the key or key-fob becomes inoperable or  
36 is lost or stolen;

37 (v) Other services which may be approved by the  
38 Commissioner, if not inconsistent with other provisions of this  
39 act.

40 (d) "Provider" means a person who issues, makes or  
41 provides a vehicle service contract.

42 (e) "Reimbursement insurance policy" means a policy of  
43 insurance providing reimbursement coverage for all services which



44 the provider is legally obligated to provide under the terms of  
45 vehicle service contracts issued or sold by the provider.

46 (f) "Services" means the repair, replacement or  
47 maintenance of property or indemnification for repair, replacement  
48 or maintenance for the operational or structural failure of a  
49 motor vehicle due to a defect in materials, workmanship or normal  
50 wear and tear.

51 (g) "Road hazard" means a hazard that is encountered  
52 while driving a motor vehicle and which may include, but not be  
53 limited to, potholes, rocks, wood debris, metal parts, glass,  
54 plastic, curbs or composite scraps.

55 **SECTION 2.** This act shall take effect and be in force from  
56 and after July 1, 2019.

