



Consumer Bill of Rights for Motorists

The following information is designed to aid you in the repair of your damaged vehicle. The material is intended to be general in nature. Before obtaining repairs, you should contact your attorney to ensure that the information complies with your state laws and regulations. This material has been prepared by the Automotive Service Association (ASA).



Question: Must I obtain three estimates?

Answer: Generally, no. Unless your policy states otherwise, no one can tell you to obtain more than one estimate. You, as the car owner, may do so, should this be your desire.



Question: I was told that I must take my car to a certain repair shop. Must I do this?

Answer: Generally, no. No one can force you to go to a certain repair shop unless your policy states otherwise.



Question: What is the best procedure for me to get quality repairs and quickly get my vehicle back on the road?

Answer: Take your vehicle to a reputable repair shop. Leave it with the manager. Instruct the manager to contact your insurance company and advise them as to the damage. You should then call your insurance company and advise them of the vehicle's location.



Question: I don't believe I was at fault in the accident. Should I use my own collision policy or try to collect from the other party?

Answer: Try to collect from the other party because you will not have to pay a deductible. Also, if you use the other person's policy, you may be entitled to a rental car while yours is being repaired, and no accident should be charged against your policy.



Question: Who is responsible to the repair shop for my repair bill - the insurance company or me?

Answer: You are. You may direct your insurance company to pay the repair shop, but the payment must be in the hands of the repair agency when you pick up your vehicle. Keep in mind, you are the customer and the insured. The repair shop owner looks to you for payment and you look to the insurance company for payment.



Question: Who is responsible for the safety, workmanship and guarantee of my auto repairs - insurance company or repair shop?

Answer: Generally, the repair shop is responsible.



Question: I am sure that the other driver is at fault, but no one has made any effort to see to the repairs of my auto. What can I do?

Answer: You are the owner of the automobile. Only you have the legal right to make arrangements for the repair of your automobile, not the insurance company.



Question: Do I have to take my vehicle to a drive-in claims service?

Answer: Generally, no. Unless your policy provides otherwise, it is not mandatory to take your vehicle to a drive-in claims service. Usually it will suffice for you to call your insurance company and tell them where the vehicle can be examined by a claims person.



Question: If I go to a drive-in claims service, do I have to take the car to its preferred shop?

Answer: Generally, no. However, if you decide to take your car to the preferred shop, ask your insurance company to implement its "elects to repair" clause (check your insurance policy). This may cause the insurance company to be responsible for, among other things, the quality of repairs.



Question: I am having a problem with the insurance company. Can the state insurance commissioner's office help me?

Answer: Perhaps, yes, but the commissioner's authority is limited! The commissioner's office in your state can describe the scope of authority for you.



Question: Can the insurance company and service shop make an adjustment and start repair on the auto without the owner's consent?

Answer: Generally, no. You should be presented an estimate to know what is being repaired on your vehicle before repairs are made, unless your policy states otherwise.

A Final Word...

Most state laws make it unlawful for any person to operate any motor vehicle that is unsafe or has defective equipment. Insist on having your vehicle restored to its pre-accident condition. Do not be pressured into having repair work done by a specific shop simply because of lower price.

The owners of some repair shops have pledged their shops to a rigid code of ethics. This code is designed to protect you and your property.



