

# Insured Motorists' Rights in Virginia

*prepared to assist you in handling an automobile claim with your insurance company*

## **1. Do I have the right to select the shop that will repair my car?**

Yes. In order to expedite your claim, select the repair shop; leave your automobile there; and notify your insurance agent or company.

## **2. Do I need to get two or three estimates?**

No. Notify your agent or insurance company. Your insurance adjuster may need to inspect the damage. If your insurance company has a drive-in claims service and your car is safe to drive, you should call them for an appointment, take your car there, make sure you get a copy of the insurance adjuster's estimate, and take it and your automobile to the shop of your choice. Some insurance agents may tell you to get two or three estimates. Talk to your insurance adjuster first. Generally, claims are handled by the insurance company's claims department, not agents.

## **3. Must I notify my insurance company before repairs?**

Yes. Insurance policies require that you notify the company or your agent, make a report, and tell them where the damaged vehicle may be inspected.

## **4. Who pays the repair bill?**

You must arrange for payment. Your insurance policy states that they will pay you, less any deductibles or depreciation.

## **5. Who is responsible for the repairs?**

The shop. **That's why it is important that you select a repair facility, that is properly trained and equipped to restore your auto-**

**mobile to its pre-accident condition.** Remember that you have the right to a written estimate and that no work should be initiated without customer authorization. The repair facility must offer to return any replaced parts (unless return is required by the manufacturer).

## **6. What should you do if you have a problem with the repair?**

First, contact the manager of the shop. If your problem is still not resolved and the shop is a member of the Washington Metropolitan Auto Body Association, contact the WMABA office at (202) 363-1858. If the problem is still not resolved by the facility, a complaint may be filed with the State Office of Consumer Affairs. You may also want to contact your insurance company claims manager. Refer to back cover for the locations of these offices.

### **A. You Can Help**

Having your automobile damaged in an accident could cause you some inconvenience. If you help, it can be less of a problem. The amount of your claim cannot be properly established or your vehicle repaired while it sits in a towing storage yard or you drive it. Help yourself. Select a repair shop and drive or have your automobile towed there.

### **B. If You Write**

In writing to the Virginia Bureau of Insurance, state your name, address, city and phone number, name of your insurance company; your insurance policy or claim number and a brief description of your problem. Attach copies of estimates, invoices or other materials that will help explain your situation.

## **7. If the shop of my choice and the insurance company do not agree on how my car should be repaired or what it should cost, what can I do?**



### **Appraisal Clause**

Most insurance policies provide appraisal. When the insurance company and the customer fail to agree, either party may demand an appraisal of loss within 60 days after the claim has been filed. Each party may then select a competent appraiser to represent them, and the two appraisers will select a competent arbitrator. If the two appraisers do not agree, they submit their findings to the arbitrator. A decision of any two, sets the amount of loss.

## **8. If my insurance company fails to process my claim or pay the amount agreed upon, what can I do?**

First, contact your insurance agent, then talk to the Branch or Regional Claims Manager of the insurance company. If that fails, contact the Virginia Bureau of Insurance. Refer to back cover.

## What should I do if I am involved in an accident?

No matter how minor, it is wise to report every accident to the police to insure an accurate report is on file in case any problems arise later.

### NOTES

*Write down names and phone numbers of those you talk to about your claim.*

#### Some suggestions:

Date of Accident \_\_\_\_\_

Date Reported to Insurance Agent \_\_\_\_\_

Date Reported to Insurance Company \_\_\_\_\_

Claim Number \_\_\_\_\_

Adjuster's Name \_\_\_\_\_

Adjuster's Phone Number \_\_\_\_\_

#### Phone Contacts:

1. Name \_\_\_\_\_ Date \_\_\_\_\_ A/C Phone Number \_\_\_\_\_

2. Name \_\_\_\_\_ Date \_\_\_\_\_ A/C Phone Number \_\_\_\_\_

3. Name \_\_\_\_\_ Date \_\_\_\_\_ A/C Phone Number \_\_\_\_\_

4. Name \_\_\_\_\_ Date \_\_\_\_\_ A/C Phone Number \_\_\_\_\_

### In Virginia Refer to: Insurance Related Problems

Virginia Bureau of Insurance  
Alfred W. Gross  
Insurance Commissioner  
P.O. Box 1157  
Richmond, VA 23218  
1-800-552-7945  
1-804-371-9741  
www.state.va.us/scc

### Auto Repair Related Problems

Virginia Department of Agriculture  
and Consumer Services  
Mrs. Jean Bass  
P.O. Box 1163  
Richmond, VA 23209  
(800) 552-9963

*Compliments of:*



### Wagonwork Collision Center

3406 Jefferson Davis Hwy  
Alexandria, Virginia 22305  
**Phone: 703-684-2985 • Fax: 703-549-2658**

417 East Clifford Ave.  
Alexandria, Virginia 22305  
**Phone: 703-706-8151 • Fax: 703-706-5918**

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**INFORMATION TO  
ASSIST YOU IN  
HANDLING AN  
AUTOMOBILE CLAIM  
WITH YOUR  
INSURANCE COMPANY**