

## HOUSE BILL NO. HB0090

Insurance-service contracts.

Sponsored by: Representative(s) Gingery and Senator(s)  
Perkins

## A BILL

for

1 AN ACT relating to insurance; providing a definition of  
2 normal wear and tear as it applies to service contracts;  
3 and providing for an effective date.

4

5 *Be It Enacted by the Legislature of the State of Wyoming:*

6

7 **Section 1.** W.S. 26-49-102(a)(ix) is amended to read:

8

9 **26-49-102. Definitions.**

10

11 (a) As used in this article:

12

13 (ix) "Service contract" means a contract or  
14 agreement for a separately stated consideration for a  
15 specific duration to perform the repair, replacement or  
16 maintenance of property or indemnification for repair,

1 replacement or maintenance, for the operational or  
2 structural failure due to a defect in materials or  
3 workmanship or normal wear and tear, with or without  
4 additional provision for incidental payment or indemnity  
5 under limited circumstances, including, but not limited to,  
6 towing, rental and emergency road service. Service  
7 contracts may provide for the repair, replacement or  
8 maintenance of property for damage resulting from power  
9 surges and accidental damage from handling. + "Service  
10 contract" also includes a contract or agreement for one (1)  
11 or more of the following:

12  
13 (I) The removal of dents, dings or  
14 creases that can be repaired using the process of paintless  
15 dent removal without affecting the existing paint finish  
16 and without replacing vehicle body panels or sanding,  
17 bonding or painting;

18  
19 (II) The repair or replacement of  
20 tires or wheels damaged as a result of coming into contact  
21 with ordinary road hazards including, but not limited to,  
22 potholes, curbs, rocks, wood debris, metal parts, glass,  
23 plastic or composite scraps. A contract or agreement  
24 meeting the definition set forth in this subparagraph in

1 which the party obligated to perform is either a tire or  
2 wheel manufacturer or a motor vehicle manufacturer is  
3 exempt from the requirements of this chapter;

4  
5 (III) The repair of small windshield  
6 chips or cracks but which expressly excludes the  
7 replacement of the entire windshield;

8  
9 (IV) The repair of damage to the  
10 interior components of a motor vehicle caused by wear and  
11 tear but which expressly excludes the replacement of any  
12 part or component of a motor vehicle's interior.

13  
14 **Section 2.** This act is effective July 1, 2010.

15  
16 (END)