

**State of Rhode Island and Providence Plantations**  
**DEPARTMENT OF BUSINESS REGULATION**  
*Division of Insurance*  
**233 Richmond Street**  
**Providence, RI 02903**

**INSURANCE REGULATION 78**

**AUTOMOBILE REPAIRER CERTIFICATION**

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**Section 1     Authority**

This Regulation is promulgated pursuant to R.I. Gen. Laws §§ 5-38-28, 27-10.1-9(b), and 42-14-17.

**Section 2     Purpose**

The purpose of this Regulation is to require an automobile repairer to certify, under the penalty of perjury, the repairs that have been made to a particular vehicle and to assist in the reinspection of vehicles pursuant to R.I. Gen. Laws § 27-10.1-9(b).

**Section 3     Definitions**

For the purpose of this Regulation:

- A. "Claimant" means a first party claimant (an insured who asserts a claim against his or her Insurer) or a third party claimant (a person asserting a right to payment under a policy or certificate of an insured which right to payment arises out of an occurrence or a contingency or loss covered by the policy).
- B. "Director" means the Director of Business Regulation or his or her designee.
- C. "Insurer" means any person engaged in the business of property and casualty insurance.

- D. "Certification of Automobile Repairs Form" means the form attached hereto as Appendix A.
- E. "Automobile Body Shop" means an auto body shop as defined in R.I. Gen. Laws § 5-38-1.

**Section 4      Certification of Automobile Repairs Form**

- A. The Certification of Automobile Repairs Form attached hereto as Appendix A shall be completed pursuant to section VI of the Motor Vehicle Body Repair Regulation.
- B. The Certification of Automobile Repair Form shall be retained by the Insurer and, if requested, copies shall be given to the Automobile Body Shop and Claimant.

**Section 5      Effective Date**

This Regulation shall become effective twenty (20) days from the date of filing.

|                 |                   |
|-----------------|-------------------|
| EFFECTIVE DATE: | February 4, 1994  |
| AMENDED:        | May 1, 1994       |
|                 | April 8, 1999     |
| REFILED:        | December 19, 2001 |

Appendix A  
CERTIFICATION OF AUTOMOBILE REPAIRS

R.I. Gen. Laws § 5-38-1 *et seq.* requires that the following certification be completed and signed. The law requires submission of the repair invoice whenever repairs are made, and although the law does not mandate how or if the automobile is repaired, it does mandate the completion of this form and its return to the insurer. The return of this form is not a condition of payment, and payment shall not be withheld for failure to complete this form. A return envelope has been furnished for your convenience.

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Section 1

TO BE COMPLETED BY THE INSURER

Claimant Name: \_\_\_\_\_ Claim \_\_\_\_\_ Number: \_\_\_\_\_  
Address: \_\_\_\_\_ Policy \_\_\_\_\_ Number: \_\_\_\_\_  
\_\_\_\_\_ Date \_\_\_\_\_ of \_\_\_\_\_ Accident: \_\_\_\_\_  
Name of Insurer: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_

I, \_\_\_\_\_, representing \_\_\_\_\_, [insert name of insurance company] have verified the automobile body shop listed below has a valid automobile body shop license in accordance with existing laws.

Date: \_\_\_\_\_

Signature of insurance company representative:

\_\_\_\_\_

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Section 2

TO BE COMPLETED BY THE AUTOMOBILE BODY SHOP

I, \_\_\_\_\_, a representative of \_\_\_\_\_ automobile body shop, located at \_\_\_\_\_, holding auto body license number \_\_\_\_\_ do certify, under penalties of perjury that I have made the repairs listed on the attached repair bill to the automobile owned by \_\_\_\_\_.

Date: \_\_\_\_\_

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Section 3

TO BE COMPLETED BY THE CLAIMANT

I, \_\_\_\_\_, certify, under penalties of perjury, that: CHECK (a) OR (b) OR (c). YOU MUST ALSO CHECK (d) IF DIRECT PAYMENT TO THE REPAIRER IS DESIRED.

- (a) \_\_\_\_\_ I have not had any repairs made to my automobile as a result of the accident on \_\_\_\_\_; OR
- (b) \_\_\_\_\_ All the repairs allowed by the insurer have been repaired by the automobile body shop, and I have paid \$ \_\_\_\_ (may be \$0.) to the automobile body shop, which amount is the deductible amount applicable to this accident; OR
- (c) \_\_\_\_\_ My automobile has been repaired according to the attached repair bill and I have paid \$ \_\_\_\_ (may be \$0.) to my automobile body shop.
- (d) \_\_\_\_\_ I hereby authorize payment of \$ \_\_\_\_\_ directly to the auto body shop identified in Part 2.

IMPORTANT NOTICE TO CLAIMANT

IF YOU ARE A FIRST PARTY INSURED AND IF YOU DO NOT REPAIR ALL OR PART OF THE DAMAGES ALLOWED BY THE INSURER, AND YOU HAVE A SUBSEQUENT LOSS, THE INSURER MAY, TO THE EXTENT RELEVANT, DEDUCT FOR SUCH ITEM(S) AS PREVIOUS DAMAGE IN SETTling THE SUBSEQUENT LOSS. THEREFORE, IF AFTER SIGNING THIS CERTIFICATION, YOU REPAIR THE DAMAGE, YOU SHOULD NOTIFY THE INSURER IMMEDIATELY. THE INSURER MAY AT THAT TIME ELECT TO INSPECT YOUR AUTOMOBILE. WHETHER YOU ARE A FIRST PARTY INSURED OR NOT NO INSURER OR ITS REPRESENTATIVE MAY MAKE PAYMENT ON A CLAIM TO A CLAIMANT OR AUTOMOBILE BODY SHOP IF REPAIRS ARE MADE AT A FACILITY NOT LICENSED IN ACCORDANCE WITH R.I. GEN. LAWS § 5-38-1 *et seq*

Date: \_\_\_\_\_ Signature of Claimant \_\_\_\_\_

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NOTICE: CLAIMANT MUST COMPLETE FORM AND RETURN TO INSURER AS LISTED IN SECTION 1.

UPON RECEIPT, THE INSURER SHALL THEN FORWARD SAID FORM TO THE  
AUTOMOBILE BODY SHOP TO COMPLETE SECTION 2.

SAID SHOP SHALL THEN COMPLETE AND RETURN SAID FORM TO INSURER.