

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                   STATE OF OKLAHOMA

3                   1st Session of the 60th Legislature (2025)

4 COMMITTEE SUBSTITUTE  
FOR ENGROSSED  
5 SENATE BILL NO. 641

By: Paxton of the Senate

6                   and

7                   Tedford of the House

8

9                   COMMITTEE SUBSTITUTE

10                  An Act relating to motor vehicle repair; creating the  
11 Oklahoma Motor Vehicle Consumer Protection Act;  
12 providing short title; defining terms; establishing  
13 certain hourly market rate for labor; directing  
14 Insurance Department to adjust certain hourly market  
15 rate for labor; prohibiting certain administrative  
16 charges from exceeding certain amount; establishing  
certain maximum daily storage rates; authorizing  
certain increase in certain maximum daily storage  
rates; providing certain exceptions; requiring  
certain written invoice; allowing adjustment of  
certain maximum daily storage rates; providing for  
codification; and providing an effective date.

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19 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

20                  SECTION 1.        NEW LAW        A new section of law to be codified

21 in the Oklahoma Statutes as Section 1271 of Title 36, unless there  
22 is created a duplication in numbering, reads as follows:

23                  This act shall be known and may be cited as the "Oklahoma Motor  
24 Vehicle Consumer Protection Act".

1 SECTION 2. NEW LAW A new section of law to be codified

2 in the Oklahoma Statutes as Section 1272 of Title 36, unless there  
3 is created a duplication in numbering, reads as follows:

4 As used in this act:

5 1. "Administrative charges" shall include, but not be limited  
6 to, the cost of:

- 7 a. file creation,
- 8 b. repair orders,
- 9 c. vehicle travel on a customary standard drivable  
10 rolling vehicle,
- 11 d. vehicle identification,
- 12 e. software charges,
- 13 f. communication with vehicle owners and insurance  
14 representatives and any other party involved in the  
15 repair or total loss determination,
- 16 g. prewashes,
- 17 h. COVID-19 cleaning or bio-cleaning,
- 18 i. charges related to photographs and electronic  
19 communications,
- 20 j. charges for work that is not for obtaining labor,  
21 parts, and materials,
- 22 k. securing removed parts, and
- 23 l. relocating parts back into a vehicle determined to be  
24 a total loss;

1       2. "Auto body repair" means all auto body repair shop repairs,  
2 maintenance, painting, exterior body work, part replacements,  
3 assessment, and diagnostic testing provided to an insurance company  
4 to determine a motor vehicle total loss;

5       3. "Auto body repair shop" means any commercial entity engaged  
6 in the business or occupation of performing auto body repairs on the  
7 body of a motor vehicle;

8       4. "Insurance company" means the person or entity responsible  
9 for charges incurred by the insured at an auto body repair shop as a  
10 result of repairs or charges incurred in determining a total loss of  
11 a motor vehicle as provided for in Section 1250.8 of Title 36 of the  
12 Oklahoma Statutes;

13       5. "Motor vehicle" means the same as defined in Section 1-134  
14 of Title 47 of the Oklahoma Statutes;

15       6. "Owner" means the owner of the vehicle; and

16       7. "Storage rates" means all charges and fees related to the  
17 auto body repair shop retaining actual physical possession of a  
18 motor vehicle during the time when the auto body repair shop  
19 exercises control, supervision, care, security, protection, and  
20 responsibility over the motor vehicle.

21       SECTION 3.       NEW LAW       A new section of law to be codified  
22 in the Oklahoma Statutes as Section 1273 of Title 36, unless there  
23 is created a duplication in numbering, reads as follows:  
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1       A. Upon the effective date of this act, the hourly market rate  
2 for labor for administrative charges as defined in Section 2 of this  
3 act, as the rate relates to total loss vehicles, shall be in  
4 accordance with the prevailing market price determined pursuant to  
5 subsection H of Section 1250.8 of Title 36 of the Oklahoma Statutes.  
6 The Insurance Commissioner may adjust the hourly market rate for  
7 labor to account for inflation annually beginning on January 1,  
8 2027. Such adjustment shall be made based on the market surveys  
9 conducted pursuant to Section 365:15-1-26 of the Oklahoma  
10 Administrative Code.

11       B. Administrative charges, as such charges relate to total loss  
12 vehicles, shall not exceed the hourly market rate for labor pursuant  
13 to this section and may only be billed up to four (4) hours.

14       SECTION 4.       NEW LAW       A new section of law to be codified  
15 in the Oklahoma Statutes as Section 1274 of Title 36, unless there  
16 is created a duplication in numbering, reads as follows:

17       A. The maximum daily storage rate allowed to be charged by an  
18 auto body repair shop for a motor vehicle total loss for each  
19 calendar day, for the first ten (10) calendar days the vehicle is in  
20 the possession of the shop, shall be Thirty-nine Dollars (\$39.00)  
21 for all motor vehicles of any size, including marine vessels, and  
22 Seventy-eight Dollars (\$78.00) for fully electric vehicles with  
23 collision damages, if the vehicle is stored pursuant to the Original  
24 Equipment manufacturer requirements.

1       B. On the eleventh calendar day, the maximum daily storage rate  
2 may increase to Seventy-five Dollars (\$75.00) per calendar day for  
3 all motor vehicles of any size, include marine vessels, and to Two  
4 Hundred Dollars (\$200.00) per calendar day for fully electric  
5 vehicles with collision damage, if the vehicle is stored pursuant to  
6 the Original Equipment manufacturer requirements, if the estimate or  
7 supplement on total loss vehicles is not approved by the insurance  
8 company within the first seven (7) days and the auto body repair  
9 shop has a written record showing the date, time, and type of  
10 communication made to the insurance company requesting such  
11 supplementals. Requests for supplementals to determine a total loss  
12 shall be made before the tenth day following the request.

13       C. The provisions of subsections A and B of this section shall  
14 not apply to vehicles in which the damage to the vehicle  
15 necessitates indoor storage and the insurance company has approved  
16 indoor storage of the vehicle in advance at an agreed rate.

17       D. Each auto body repair shop shall provide written invoices  
18 and respond to requests for invoices concerning the pickup, release,  
19 or delivery of a motor vehicle on its premises to the insurance  
20 company within eight (8) business hours.

21       E. The maximum daily storage rate set forth in this section  
22 shall apply to direct repair programs.

1       F. The maximum daily storage rate may be increased. Such  
2 adjustment shall be made based on the market surveys conducted  
3 pursuant to Section 365:15-1-26 of the Oklahoma Administrative Code.

4       SECTION 5. This act shall become effective November 1, 2025.  
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6 COMMITTEE REPORT BY: COMMITTEE ON COMMERCE AND ECONOMIC DEVELOPMENT  
7 OVERSIGHT, dated 04/16/2025 - DO PASS, As Amended.  
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