

10104174D

SENATE BILL NO. 674

Offered January 22, 2010

A BILL to amend and reenact § 13.1-400.1 of the Code of Virginia, relating to automobile clubs; telematics systems.

Patron—Wampler

Referred to Committee on Commerce and Labor

Be it enacted by the General Assembly of Virginia:**1. That § 13.1-400.1 of the Code of Virginia is amended and reenacted as follows:**

§ 13.1-400.1. Definitions.

As used in this chapter:

"Automobile club" means a legal entity which, in consideration of dues, assessments or periodic payments of money, promises its members or subscribers to assist them in matters relating to motor travel or the operation, use, or maintenance of a motor vehicle, by supplying services which may include but are not limited to towing service, emergency road service, indemnification service, guaranteed arrest bond certificate service, discount service, financial service, theft service, map service, or touring service, *but which shall not include services provided or offered through a telematics system.*

"Discount service" means an arrangement by an automobile club resulting in giving special discounts, rebates or reductions of price on gasoline, oil, repairs, parts, accessories or service for motor vehicles to members or subscribers of any such club.

"Emergency road service" means adjustment, repair or replacement of the equipment, tires or mechanical parts of a motor vehicle so that such motor vehicle may be operated under its own power.

"Financial service" means an arrangement by an automobile club whereby loans or other advances of money are made to members or subscribers of any such club.

"Guaranteed arrest bond certificate service" means the issuance of such a card or certificate as is defined in subsection C of § 38.2-2407.

"Indemnification service" means providing reimbursement of members or subscribers for (i) attorney's fees in the event criminal proceedings are instituted against such members or subscribers as a result of the operation of a motor vehicle, or in the event the member's or subscriber's motor vehicle sustains property damage as a result of a motor vehicle accident, or in the event that such member or subscriber receives personal injuries while driving or riding in a motor vehicle; (ii) expenses incurred by them for "towing service" or "emergency road service"; (iii) losses occasioned by misuse or forgery in connection with a gasoline credit card; and (iv) expenses incurred by members or subscribers when their motor vehicle is disabled as a result of an accident or collision.

"Map service" means the furnishing by an automobile club of road maps without cost to members or subscribers of any such club.

"Telematics system" means motor vehicle equipment that utilizes global positioning systems and wireless communications systems to collect and deliver information or services, or both, to and from a motor vehicle.

"Theft service" means assisting in locating, identifying or recovering a stolen or missing motor vehicle of a member or subscriber or assisting in detecting or apprehending any person guilty of the theft of such vehicle.

"Touring service" means the furnishing by an automobile club of touring information without cost to members or subscribers of any such club.

"Towing service" means furnishing means to move a motor vehicle from one place to another under power other than its own.

INTRODUCED

SB674