

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 38.2-2231 of the Code of Virginia, relating to motor vehicle insurance;*
3 *physical damage arbitration.*

4 [H 1465]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 38.2-2231 of the Code of Virginia is amended and reenacted as follows:**

8 § 38.2-2231. Physical damage arbitration between insurers; alternate forums.

9 *A. Except as otherwise provided hereafter, insurers shall arbitrate and settle all disputed claims made*
10 *for automobile physical damage between them in accordance with the terms of the Nationwide*
11 *Intercompany Arbitration Agreement, or any successor thereto, as adopted and from time to time*
12 *amended by its members, and the rules promulgated pursuant to the Agreement, unless the parties*
13 *mutually agree, on a per case basis, to use another arbitration forum, which forum may include a court*
14 *of competent jurisdiction, in which case the claim shall be arbitrated or tried in that alternate forum.*
15 *Mandatory arbitration of disputed claims shall be limited solely to the issues of liability and damages.*

16 *B. Every automobile liability or physical damage insurer doing business in the Commonwealth shall*
17 *be a member of the Nationwide Intercompany Arbitration Agreement, or any successor thereto,*
18 *sponsored by the Committee on Insurance Arbitration. However, if any such insurer is unable to furnish*
19 *proof of its membership in such agreement, an action may be asserted in a court of competent*
20 *jurisdiction.*

ENROLLED

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