

~~(B) AN ADJUSTER OR, APPRAISER, AGENT, OR ANY EMPLOYEE OF AN INSURER MAY NOT LIMIT THE FREEDOM OF AN INSURED OR CLAIMANT TO CHOOSE A REPAIR SERVICE OR OTHERWISE:~~

~~(1) RECOMMEND THE USE OF A PARTICULAR SERVICE OR SOURCE FOR THE REPAIR OR REPLACEMENT OF PROPERTY DAMAGE WITHOUT CLEARLY INFORMING THE CLAIMANT OR INSURED THAT THE CLAIMANT OR INSURED IS UNDER NO OBLIGATION TO USE THE RECOMMENDED REPAIR SERVICE;~~

~~(2) REQUIRE THAT APPRAISALS OR REPAIRS BE MADE IN A SPECIFIED REPAIR SHOP OR SHOPS;~~

~~(3) REQUIRE THAT A CLAIMANT OR INSURED UNDER A POLICY USE A SPECIFIC CONTRACTOR OR REPAIR SHOP SPECIFIC CONTRACTORS OR REPAIR SHOPS TO PROVIDE REPAIR SERVICES OR REPAIR PRODUCTS; OR~~

~~(4) INTIMIDATE, COERCE, OR THREATEN A CLAIMANT OR INSURED UNDER A POLICY TO USE A SPECIFIC CONTRACTOR OR REPAIR SHOP SPECIFIC CONTRACTORS OR REPAIR SHOPS TO PROVIDE REPAIR SERVICES OR REPAIR PRODUCTS.~~

~~(B) (C) AN ADJUSTER OR APPRAISER MAY NOT ACCEPT A GRATUITY OR OTHER FORM OF REMUNERATION FROM A REPAIR SERVICE FOR RECOMMENDING THAT REPAIR SERVICE TO A CLAIMANT OR INSURED.~~

~~(E) (D) A PERSON WHO INTENTIONALLY VIOLATES THIS SECTION IS SUBJECT TO:~~

~~(1) A CIVIL PENALTY NOT EXCEEDING \$1,000 PER VIOLATION;~~

~~(2) RESTITUTION; AND~~

~~(3) (2) IF APPLICABLE, DENIAL, SUSPENSION, OR REVOCATION OF A LICENSE HELD UNDER THIS ARTICLE.~~

~~(E) THIS SECTION MAY NOT BE CONSTRUED TO:~~

~~(1) REQUIRE AN INSURER TO PAY AN AMOUNT FOR MOTOR VEHICLE REPAIR SERVICES OR REPAIR PRODUCTS NECESSARY TO PROPERLY AND FAIRLY REPAIR THE VEHICLE THAT IS GREATER THAN THE USUAL AND CUSTOMARY CHARGES FOR EQUIVALENT SERVICES OR PRODUCTS CHARGED BY SIMILAR CONTRACTORS OR REPAIR SHOPS WITHIN A REASONABLE GEOGRAPHIC OR TRADE AREA OF THE ADDRESS OF THE INSURED; OR~~

~~(2) PROHIBIT AN INSURER FROM REQUIRING AN INSURED TO OBTAIN A DAMAGE APPRAISAL BY DRIVING A DAMAGED VEHICLE TO A FACILITY OWNED BY OR LEASED BY OR UNDER CONTRACT TO THE INSURER THAT IS USED EXCLUSIVELY FOR DAMAGE APPRAISALS.~~