



**THE COMMONWEALTH OF MASSACHUSETTS
AUTO DAMAGE APPRAISER LICENSING BOARD**

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GOVERNOR

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CHAIRMAN

CARL GARCIA
DAVID KRUPA, CPCU
JOSEPH COYNE
THOMAS MCCLEMENT

Minutes of Meeting Approved at Board Meeting of February 25, 2014 by a Vote of 4-0

December 3, 2013

**Auto Damage Appraisers Licensing Board
Division of Insurance, 1000 Washington Street, Boston, Mass.**

Members Present:

Gilbert Cox, Chairman
Carl Garcia
David Krupa
Joe Coyne
Thomas McClements

Attending to the Board:

Michael D. Powers, Counsel to the Board
Benjamin McNiff, Legal Intern Division of Insurance took the minutes of the Board meeting

Proceedings recorded by:

Jillian Zwien, of the Alliance of Automotive Service Providers of Massachusetts (Audio/Video)

Review of Minutes:

Review of minutes from last meeting was postponed until the next meeting.

Report on Licenses:

Mr. Garcia reported that the results of the November 2013, Part II examination for Automobile Damage Appraisers License were: 33 passed the test; 10 failed.

Next Part II Exam:

The next exam will be held on January 7, 2014, in Taunton. There will be a review provided by Jillian Zwien on January 6th, 2014.

New Business:

Mr. Coyne proposed the Board take time to review regulations 211 CMR 133.00 and 212 CMR 2.00. The Board discussed having a work session to review the regulations line by line. The Board discussed with Attorney Powers the proper procedure for such a session. The Board was advised that they could not meet in private and agree to vote a certain way, and then call a public meeting and re-vote publicly. Attorney Powers advised the Board that the General Counsel for the Division of Insurance, Robert Whitney, has assigned his best men to review these regulations. Before the regulations are amended the law requires specific legal procedures that must be followed. Mr. Powers will notify General Counsel Whitney of the Board's request and ask for him to appear at one of the upcoming meetings of the Board.

Mr. Cox suggested reviewing an update from the General Counsel for the next meeting, at which time the Board will discuss possible amendments.

Proposed Items for the Agenda of the Next Meeting:

Address the legality of asking applicants to self-report their criminal records, specifically if the question should be modified as to what needs to be reported and possibly to reflect a shorter timeframe to which an applicant must self-report.

Discuss changing the Application for Motor Vehicle Damage Appraisers License, specifically the question about prior criminal history and reporting misdemeanor offenses.

Report on the Part II examination for the Motor Vehicle Damage Appraisers License held on January 7, 2014.

Date for Next Meeting:

The next meeting will be held on February 25th, 2014.

Executive Session:

Mr. Garcia moved to enter Executive Session to discuss the reputation and character of pending applicants, seconded. Roll Call vote: 5-0 in favor.

Discussion was then had amongst the members. After the conclusion of each discussion, the Chair called for votes on the motions. The motions were seconded and voted on. There were three applicants who were approved to take the Part I exam.

The vote as to one applicant was postponed until the next meeting. All of the motions were passed by a vote of 5-0.

Adjournment:

Mr. Coyne moved to adjourn the meeting, seconded by Mr. Krupa. Vote: 5-0 in favor.