



Maura Healey  
GOVERNOR

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## THE COMMONWEALTH OF MASSACHUSETTS AUTO DAMAGE APPRAISER LICENSING BOARD

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MICHAEL DONOVAN, CHAIRMAN  
WILLIAM E. JOHNSON  
PETER SMITH  
CARL GARCIA  
VICKY WEI YE

**Minutes of the Meeting of the Board held on July 22, 2025 and approved at the Board Meeting held on December 11, 2025; Motion of Board Member William Johnson, Seconded by Board Member Peter Smith with Chairman Michael Donovan absent. The Motion Passed by a Vote of: 4-0 with Chairman Donovan abstaining.**

Minutes of the Board Meeting held on July 22, 2025

The Auto Damage Appraiser Licensing Board (ADALB or Board) held a meeting on July 22, 2025, at One Federal Street, Boston, Massachusetts.

**Members Present:**

Chairman Donovan  
William Johnson  
Peter Smith  
Carl Garcia  
Vicky Ye

**Attending to the Board:**

Michael D. Powers, Counsel to the Board

**Call to Order:**

Chairman Michael Donovan called the meeting to order at 10:00AM with a roll call vote all Members responded present.

**Approval of the Board minutes for the Board meeting held on May 13, 2025:**

Chairman Donovan requested a motion to approve the minutes of the May 13, 2025, meeting. Board Legal Counsel Michael D. Powers informed the Chairman that because of responsibilities for the Division of Insurance and as Co-chair of the Auto Body Labor Rate Advisory Board, he did not have enough time to complete the draft of the minutes but would have the drafted minutes prepared and presented to the Members of the ADALB by the next meeting.

Chairman Donovan asked that those recording the proceedings to identify themselves and state with whom they were affiliated. Those responding to the Chairman's request were: James Bates of the MAPFRE/Commerce Insurance Company and Evangelous "Lucky" Papageorg of the Alliance of Automotive Service Providers of Massachusetts (AASP/MA). In attendance were: Lucky Papageorg, AASP/MA Executive Director, Don Dowling, AASP/MA Secretary and

owner of Marblehead Collision, and Jeff White, AASP/MA Zone-4 Director and owner of North Andover Auto Body in North Andover. Ed Jankowski of MAPFRE/Commerce Insurance Company, Rob Torres from Travelers Insurance Company, and Parker Riley from Progressive Insurance Company.

**Report by Board Member Peter Smith on the Part-II examination for motor vehicle damage appraiser:**

Chairman Donovan requested an update on the status of the upcoming Part-II exam. Board Member Smith responded by stating that since the last meeting there were two Part-II sessions. The first took place on June 14th with 86 applicants of whom 83 passed, 3 failed, and there were 2 no-shows. A second session was held on June 30th to accommodate the overflow from the June 14th session, and there were 25 applicants of whom 21 passed and 4 failed, and all the applicants showed up for the exam. Board Member Smith noted there was a pattern of those failing coming from the same preparation class. Board Member Garcia agreed, suggesting the re-introduction of the Board's sub-committee, which was dissolved some time ago, and was formed to assist instructors on what they needed to cover in their classes. The process involved prior Board Members, Bruce King and Tom Ricci as well as instructor Sue Conena of Mapfre/Commerce Insurance Company. The idea of reintroducing a sub-committee was well received by Members of the Board and Board Member Smith noted the difficulty in preparing for Part-II examinations which relies on accurately detailing a damage estimate, using crash books which are becoming increasingly rare and seldom used in day-to-day estimate preparation. Board Member Garcia stated he can accommodate supplying classes with printed crash book details but realized that this does not address those who rely on apprenticeships at shops, they utilize an electronic database for their estimating tasks. Board Member Smith announced that the next Part-II exam would likely be held in early September. Board Member Garcia suggested his relationship with rental companies may assist in obtaining a damaged vehicle for the next session. Ms. Conena and Mr. Garcia provided highlights of the work of the sub-committee that they were involved with. Ms. Conena stated that her class was taught through Assabet Valley Regional Vocational Technical High School and relied heavily on understanding the crash book and how to develop an estimate using that manual. Board Member Johnson expressed concern that, in his opinion, too many new appraisers have never worked in a shop. Ms. Conena responded by questioning whether the standard should be if you do not apprentice in an auto body repair shop, you should not qualify for a license. Board Member Johnson suggested a longer class schedule, more than 60 hours, maybe 75 hours of class time should be required. Board Member Garcia stated that he has two sons-in-laws who never worked in an auto repair shop prior to working for him or taken a car apart. Mr. Garcia stated he took care of that, by putting them to work on the floor so they would better understand what it's like to get hands-on repair experience. Board Member Smith stated that the Part-I exam is flawed as well, with questions relating to carburetors, lacquer paint products, and the like and said there needs to be an overhaul of both processes. Chairman Donovan asked whether reviving the Board's sub-committee for the examination process would be feasible. Board Member Garcia pointed out some of the obstructions, including the need to limit the number of Board members attending, which is restricted to two members. Ms. Conena noted that when she was involved it was a popular time for the Board, when hundreds attended the scheduled meetings, noting fewer than a dozen in attendance the day of this meeting. Board Member Garcia noted some of the sessions were held at shops and some at insurance carriers' facilities. Board Member

Smith suggested that he and Board Member Garcia could investigate reviving the general concept and report their findings at a future Board meeting.

**Discussion about the Auto Body Labor Rate Advisory Board created under Governor Healey’s “Mass Leads Act” Section 292 of Chapter 238 of the acts of 2024, which provides: SECTION 292:**

Chairman Donovan requested Board Legal Counsel Michael D. Powers provide a report about the recently enacted law. Legal Counsel Powers reported that the Legislature enacted a new law at the end of 2024 as part of the Governor’s “Mass. Leads Act” which he read and is the following:

There is hereby established an auto body labor rate advisory board to address any issues related to auto body labor rates. The advisory board shall consist of: 1 person appointed by the commissioner of insurance, who shall serve as co-chair; 1 person appointed by the attorney general, who shall serve as co-chair; 1 person appointed by the director of standards; 3 persons selected from the auto insurance industry by the Automobile Insurers Bureau of Massachusetts; 3 persons selected from the auto repair industry from different geographic regions of the commonwealth by the Alliance of Automotive Service Providers of Massachusetts, Inc.; 1 person selected by the Massachusetts State Automobile Dealers Association, Inc; 1 person selected by the Massachusetts Association of Insurance Agents, Inc.; and 3 persons to be appointed by the co-chairs, 1 of whom shall be from a consumer advocacy group, 1 of whom shall be from a group representing the business community and 1 of whom shall be an economist with expertise on the insurance industry.

The advisory board shall be responsible for creating, implementing and overseeing a survey given to relevant auto body shops. The advisory board shall collect industry data including, but not limited to: (i) labor rates in neighboring states; (ii) auto body shop costs; (iii) total labor costs; (iv) inflation data; (v) work force data; (vi) vocational-technical school trends; (vii) insurance premiums; and (viii) any additional information as requested by the advisory board. The results of the survey and the data collected shall be reviewed and analyzed by the advisory board.

Not later than December 31, 2025, the advisory board shall make recommendations to the division of insurance for a fair and equitable labor rate and file a report of its findings, conclusions and recommendations with the clerks of the senate and house of representatives, the joint committee on financial services, the senate and house committees on ways and means and the division of insurance.

Board Legal Counsel Powers reported on the progress made by the Advisory Board which was established to report recommendations to the Division of Insurance for a fair and equitable labor rate and file a report of its findings, conclusions and recommendations with the clerks of the senate and house of representatives, the joint committee on financial services, the senate and house committees on ways and means and the division of insurance. Legal Counsel Powers brought the Board members up to date on the Advisory Board’s progress, of which he serves as

Co-chair. Legal Counsel Powers summarized the public testimony heard at the State House hearing held on June 12th as well as the Advisory Board sending out an Auto Body shop questionnaire, the Advisory Board received approximately 500 responses to date from nearly 1,600 auto body repair shops registered with the Division of Standards. Legal Counsel Powers noted there are some on the Advisory Board who believe the number of active shops is closer to 1,000 based on the information received from one Board member. Board Member Garcia agreed and stated he based his understanding through his Auto Body Product business where he finds just over 800 active Massachusetts auto body shops in his company's available customer database. Legal Counsel Powers thanked Mr. Garcia for the information and requested any written details he could share with the Advisory Board as a data point to assist them in understanding this number. Legal Counsel Powers reported a questionnaire that would be going out to auto insurance carriers to determine the prevailing auto body labor rate that the companies with 1% or more market share are willing to pay to repair damaged motor vehicles. Legal Counsel Powers described the remaining process including additional virtual meetings and additional public input from interested parties who may not have been available for the June public hearing at the State House. Mr. Powers concluded by stating the report and any recommendations will be made to the Joint Committee on Financial Services, House and Senate Ways and Means Committees, the Clerks of the House and Senate and the Division of Insurance by December 31st, 2025.

**Update on status of proposed amendments to the ADALB's Regulation, 212 CMR 2.00 et seq. The newly constituted Board, with new Board Members Carl Garcia and Vicky Ye and Peter Smith (reappointed) appointed by Governor Maura Healey, will consider proposed amendments to the Board's Regulations 212 CMR 2.00 et seq. The process began by the Board reviewing the proposed amendments that were approved by the previously constituted Board that concluded at the Board meeting held on July 19, 2022:**

Board Member Smith stated he was reviewing some items with Board Member Garcia, but noted that both he and Board Member Garcia had spent quite some time away from their daily duties which prevented them from having time to complete the proposed amendment and Board Member Garcia concurred. Board Member Smith said he would update the Regulation with the proposed amendments that were agreed to thus far and would send the document to Legal Counsel Powers for his review and allow him to distribute the document to other Board members for their review and Legal Counsel Powers agreed with the process.

Mr. Papageorg requested to be recognized and sought clarification of the discussion at the last Board meeting about the subject of Board Member's potential conflicts of interest. Mr. Papageorg felt the Board may have misunderstood his question at the last meeting because of their discussion on the changes and wording the Board discussed that would be include in their proposed changes to the Regulation, and as the changes pertain to ethics. Mr. Papageorg clarified his question asking what the status was on the requests made by Legal Counsel Powers concerning an advisory ruling from the Ethics Commission about individual Board members and their affiliation with persons or entities they may encounter during their work on the Board. Legal Counsel Powers responded by stating that Board Member Smith to his great credit, without any urging by anyone, and on his own, requested an advisory opinion/ruling from the Ethic Commission and the Ethics Commission provided Board Member Smith with an advisory ruling/opinion. Legal Counsel Powers stated that he was still in the process of accumulating

information from the other Members of the Board and he would send all of the requests out as a group, once all the information had been collected and that it would be helpful to have the amended language of the Board's Regulation at the time of the request. Board Member Johnson stated that he complied with the request and provided information to Legal Counsel Powers and Board Member Ye stated that she had complied with the request. Board Member Garcia said the information is complicated and Legal Counsel Powers observed that the Board has operated for decades without the need for an advisory ruling on individual members of the Board from the Ethic Commission, without any repercussion. Legal Counsel Powers stated that the previous chairman of the Board Chairman Gilbert Cox, who was a former state representative and an attorney, left it up to individual Board member to decide whether there was a need for them to recuse themselves. Legal Counsel Powers stated in his professional capacity with different departments and agencies for the state of Massachusetts he had engaged in many encounters with the Ethics Commission over several decades and found them to be unpredictable. Legal Counsel Powers previously responded that the Board, as a part of the review of the Board's Regulation, would adopt language about "Conflict of Interest", that some discussions had already taken place, and at the end of the regulatory review process when a final vote is prepared, the Board will have a definition of conflicts of interest. Once the Regulatory Review has been adopted and approved, it will then go onto the approval process and then on A&F and after their approval it will be expedited to a recorded public meeting where the specific amendments would be announced. The adopted changes would then go to the Secretary of State's office and after 45 days the amendments to the Regulation are finalized.

**Next meeting date:**

It was agreed that the next meeting would be held on September 23, 2025, at 10:00AM.

**Other Business – reserved for matters the Chair did not reasonably anticipate at the time of the posting of the meeting and agenda:**

Mr. Papageorg presented a request for a change in the listing of AASP/MA's license preparation class on the Board's website. The request was that the manner used be reversed from "Association of Auto Service Providers of Massachusetts (AASP/MA)" changed to "AASP/MA (Association of Auto Service Providers of Massachusetts)". Legal Counsel Powers stated that the request was already forwarded to Mr. Robert Hunter of the Producer Licensing Unit with the Division of Insurance. Board Member Smith reviewed the website and reported that it was currently appearing with the first part stating "Association..." and stated the matter may be tied up in the Division of Insurance IT Department. Legal Counsel Powers suggested to expedite matters the Board vote to adopt the change, as presented, and he would report the vote to Mr. Hunter. A motion was made by Board Member Smith to allow the change in the name; Board Member Garcia seconded the motion and the motion passed by a Vote of: 4-0, with Chairman Donovan abstaining.

**Review of Complaint number 2025-18:**

Legal Counsel Powers stated that he was in communication with the parties, and he expected that they would be available for the next meeting and heard in Executive session.

Mr. Powers announced that after he reads the next agenda item, he would show those who are interested where the next meeting would be held in the new meeting rooms on the sixth floor of

One Federal Street, after a motion was made to enter the executive session with the closing of the meeting thereafter.

**Executive Session:**

Legal Counsel Powers read the Executive Session agenda item in its entirety, M.G.L. c. 30A §21(a)(1). The Executive Session was to review an applicant's response who indicated a conviction for a felony on the application for motor vehicle damage appraiser. Also, a review of a renewal application which indicated administrative action had been taken in various states and the failure of the licensed motor vehicle damage appraiser to properly answer the question on the license renewal application. A motion was made by Board Member Garcia and seconded by Board Member Johnson and the motion passed by a roll call Vote of: 4-0, with Chairman Donovan abstaining, the motion included language that the Board would adjourn immediately following the review in the Executive Session.

The applicant who indicated on her application for motor vehicle damage appraiser license that she was convicted of a felony, appeared before the Board. The Board asked several questions about the conviction and about her current life. The applicant explained the circumstances around the conviction, took responsibility for her mistake, and said she changed her way of living and was doing everything to better herself and live a good and decent life. The Board voted to allow the applicant to take the examination, by a motion of Board Member Smith seconded by Board Member Ye, and the motion passed by a Vote of: 4-0, with Chairman Donovan abstaining.

The applicant seeking renewal of his license appeared before the Board, was questioned about his failure to disclose out of state administrative actions, and answered all of the questions asked by the Board. Thereafter, the Board voted to allow the applicant to renew his motor vehicle damage appraiser license. A motion was made by Board Member Peter Smith and seconded by Board Member Garcia, the motion passed by a Vote of: 3-1 with Board Member Johnson voting no and Chairman Donovan abstaining.

A motion to adjourn was made by Board Member Peter Smith, seconded by Board Member Vicky Ye and after a roll call vote the motion passed by a vote of 4-0, with Chairman Donovan abstaining.

Whereupon the Board's business was concluded.

The form of these minutes comports with the requirements of M.G.L. c. 30A, §22(a).