



## THE COMMONWEALTH OF MASSACHUSETTS AUTO DAMAGE APPRAISER LICENSING BOARD

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March 17, 2021

Office of State Secretary  
Regulations Division  
State House  
Room 117  
Boston, MA 02133

Re: Meeting Notice and Agenda Items for the Massachusetts Auto Damage Appraiser Licensing Board Tuesday, March 23, 2021 at 11:00AM

Dear Concerned Parties:

In accordance with Massachusetts General Laws Chapter 30A, §§ 18-25 and Governor Charles D. Baker's "ORDER SUSPENDING CERTAIN PROVISIONS OF THE OPEN MEETING LAW, G.L. c. 30A, § 20" issued on March 12, 2020, the Auto Damage Appraiser Licensing Board (ADALB or Board) will hold a meeting on Tuesday, March 23, 2021, by teleconference at 11:00AM from 1000 Washington Street, Boston, Massachusetts. Because of COVID-19 Order No. 47 issued by Governor Charles D. Baker on August 7, 2020, gatherings of over 25 people are prohibited and, therefore, members of the general public will not be allowed to attend in-person. The public is invited to join-in the teleconference meeting by dialing the "Participants" telephone number at: 1-877-820-7831 and entering the Passcode 623523#. The topics to be discussed during the meeting of the Auto Damage Appraiser Licensing Board will be the following:

- I. Call to order.
- II. Approval of the Board minutes for the Board meetings held on January 27, 2021.
- III. Report by Board Member Peter Smith on the Part-II examination for motor vehicle damage appraiser held on February 27, 2021, at the Progressive Insurance Service Center in Westwood, Massachusetts.
- IV. Discussion about rescinding Advisory Ruling 2020-1.
- V. Discussion about amending the Auto Damage Appraiser Licensing Board's regulation, 212 CMR 2.00 et seq.
- VI. Submitted by Board Member William Johnson a proposed Advisory Ruling regarding receipts for appraised parts, which is the following:

#### **ADALB ADVISORY RULING REGARDING RECEIPT REQUIREMENTS.**

This advisory, specifically addresses the practice of requiring receipt(s) as proof of the purchase and/or price of parts prior to an appraisal or supplement being written, under the direct payment plan as outlined in 211 CMR 123. This practice is prohibited under the direct payment plans.

#### ***Proposed Advisory Ruling 2021-1***

Pursuant to its authority, The ADALB voted by a majority vote at the Board's meeting held on (DATE), to adopt this Advisory Ruling.

#### **ADVISORY RULING**

All licensed appraisers should continue to follow 211 CMR 133 and 212 CMR 2.0 in its entirety as it pertains to the estimating and writing of a complete appraisal or supplement for the repair of a damaged motor vehicle. As stated in 212 CMR 2.04 (e) "The appraiser shall itemize the cost of all parts, labor, materials, and necessary procedures required to restore the vehicle to pre-accident condition and shall total such items". All parts required for repair shall be listed on the appraisal. At no time will the decision to make payment for parts be made based upon the submission of receipts. Unless in the case of a supplement the

named insured is utilizing the Completed Work Form (CWF). As stated in 212 CMR 2.04 (e) "No Appraiser shall modify any published manual (i.e. Motors, Mitchell or any automated appraisal system) without prior negotiation between the parties".

In the instance that a parts price is not available at the time of the preparation of the estimate an approximate price shall be agreed upon. If the agreed upon amount is insufficient, a parts price increase supplement may be submitted with documentation attached in the form of a paid receipt. *The cost indicated as paid by the shop/end user on the receipt* will be subject to a reasonable standard industry markup.

- VII. Other business – reserved for matters the Chair did not reasonably anticipate at the time of the posting of the meeting and agenda.
- VIII. Motion to adjourn.

Auto Damage Appraiser Licensing Board,  
By its Attorney,

\_\_\_\_\_  
Michael D. Powers

I certify that, this Notice was sent by U.S. Mail postage prepaid to the Massachusetts Office of Administration and Finance, to the Office of the Secretary for the Commonwealth and forwarded by e-mail to the IT Services for the Commonwealth.

\_\_\_\_\_  
Michael D. Powers  
Counsel to the ADALB

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Date