

ACCURATE COLLISION
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May 4, 2016

Commonwealth of Massachusetts
Auto Damage Appraiser Licensing Board
1000 Washington St.
Suite 810
Boston, Ma 02118

Re: Changes to C.M.R 212 2.00

To whom it may concern:

The proposed changes to the CMR 212 regulations are of a great concern to myself and the industry. The one change that concerns me the most is the issue regarding preliminary "teardowns" of a motor vehicle for the purpose of an appraisal. It comes of great concern to me that the proposed change would suggest that an insurer would require an "insurer" approval before a vehicle may be "torn down". As I can understand why there might be some issues with this, as some shops may abuse the process, I feel that a "tear down" is necessary to properly appraise and repair a motor vehicle. I am aware that in some circumstances a tear down may not be necessary but when a vehicle has sustained collision damage it is a necessary step. The owner of the vehicle and the licensed appraiser at a licensed repair shop should not have to obtain an insurer approval prior to conducting a tear down for the purpose of an accurate appraisal to determine the cost of repairs.

- (A) Currently under the regulation, repair shop appraisers are required to write their own appraisal for the purpose of negotiations and are to specify "all damage" attributed to the loss. In most situations, tear down would be necessary for an accurate appraisal to be written and specify all damages.*
- (B) Properly appraising the vehicle is best for the customer, the insurance company, and the repair shop so the vehicle can be repaired properly and repaired as quickly as possible. A partial tear down of the damaged vehicle significantly cuts down on cycle time, rental car cost, customer's frustrations and insurers cost possibly, eliminating the need for multiple inspections during the repair.*

- (C) *As we are all aware the owner of the vehicle is the only one who can grant authorization for any repairs to his/her vehicle. There is currently no language in the Massachusetts auto policy or any law that grants an insurance company to surpass the customer's right to have an accurate appraisal written. In fact, the Attorney Generals regulations require that an estimate be given to the customer for the cost of the repairs. It would be a travesty for the board to take away the vehicle owners right when having their vehicle repaired at their chosen repair facility.*
- (D) *Several of the largest insurance companies in this country and some of the largest in this state prefer the shops to tear down the motor vehicle (with the insured's permission) so their appraiser and the repair shops appraiser can conduct a proper appraisal on their first inspection and specify all the damage attributed to the loss and any necessary operations that may be deemed necessary. It is a proven system and eliminates the need for many supplement inspections and the need for multiple trips to the shop, which delays the vehicle being returned to the owner.*
- (E) *The need for an insurance company to give the permission for tear down would be a major delay in the repair process. It would cause great delays in all aspects of the repair process. In many instances the repair shop is the first to see the damaged vehicle and it would only make sense that they would be the ones to make a determination if tear down is necessary. As all licensed repair facilities are required to have a licensed appraiser on site, their appraiser has the same qualifications as the insurance company's appraiser. A shop's licensed appraiser would be able to make the decision if tear down would improve the appraisal.*
- (F) *Currently, there are many stop gates in place for repair shops who abuse the system or go above and beyond what may be deemed necessary. There are penalties for the appraiser as set out in your regulation, penalties assessed by the Attorney General, penalties imposed by the Division of Standards regarding an abusing shop's repair shop registration, and consumer protection claims for multiple damages that can be made by a car owner who feels a repair shop abused their rights.*

As there may be circumstances where repair shops abuse the system, it is necessary to look beyond that for the great benefits of the consumer, the insurance companies, and the repair shops.

Thank you very much for your time and attention to this matter.

Sincerely,



Adam Haddad