

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF BUSINESS REGULATION
JOHN O. PASTORE COMPLEX
1511 PONTIAC AVENUE
CRANSTON, RHODE ISLAND 02920**

IN THE MATTER OF:

**Carfax, Inc. and CARFAX Total Loss Valuation
Service Application**

2020-IN-001

APPLICANTS

**Pursuant to R.I. Gen. Laws § 27-9.1-4(25) and
230-RICR-20-40-2.8(A)(2)(c)**

**Division of Insurance Written Comments
Regarding the Application of Carfax, Inc. and CARFAX
Total Loss Valuation Service Application**

The Division of Insurance of the Department of Business Regulation (the “Insurance Division” or the “Division”) submits these written comments regarding the application of Carfax, Inc. and CARFAX Total Loss Valuation Service Application (the “Application”) to be qualified as a nationally recognized compilation of retail values commonly used by the automotive industry. The Division herein provides a short-written comment but does not take a position in favor of or opposing the Application.

This is now the third time that a valuation company or valuation companie have applied for consideration under this statutory scheme. The first was in 2014 when several applicants applied. The second was when Mitchell International, Inc. applied for it’s Workcenter Total Loss Product to be approved as a valuation company in 2018. In 2018, the Insurance Division filed written comments laying out the brief history of Rhode Island General Law § 27-9.1-4(a)(25) and the updates to then Insurance Regulation 73 (now codified as 230-RICR-20-40-2). Those comments remain relevant and

the Division has verified that they are still posted at the Department's website (https://dbr.ri.gov/documents/rules/hearing_notices/2018-04-02_RI_DOI_Public_Comments_Mitchells.pdf).

The Division suggests that the Hearing Officer refer to the Department's Order dated June 21, 2018 adopting the Mitchell International, Inc. and its Workcenter Total Loss Product's Application Decision when considering this application. That Order addresses a very similar application, and most if not all of that analysis should be helpful in reaching this decision.

It might also be helpful to note that this is the first time that Carfax, Inc. has submitted an application to be qualified as a valuation company in Rhode Island. However, the Division wishes to be clear that while it is not opposing the Application, the Division is also not endorsing this Application. Rather, the Division maintains that any Applicant under this statute has due process rights, and deserves a fair hearing, a written decision, and if applicable, appeal rights under the Rhode Island Administrative Procedures Act.

RESPECTFULLY SUBMITTED:
Division of Insurance
By its attorney:



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CERTIFICATION

With my electronic signature above, I hereby certify that on this 27th day of April, 2020, a copy of these Comments were sent by email to the Hearing Officer, interested parties previously included in this matter, and will be posted to the Department's website soon thereafter.