

December 9, 2025

Insurance Commissioner Patty Kuderer
Cc: Rules Coordinator
Office of the Insurance Commissioner
Olympia, WA 98504

Re: R-2025-04 – Registering and Identifying Umpires in Auto Appraisals - P&C Trades Comments

Sent via email

Dear Commissioner Kuderer,

On behalf of our insurance company members, who collectively underwrite the majority of personal and commercial lines vehicle and property insurance policies in force in Washington state today, our associations – the **American Property & Casualty Insurance Association (APCIA)** the **Northwest Insurance Council (NWIC)**, and the **National Association of Mutual Insurance Companies (NAMIC)** respectfully submit the following comments and recommendations regarding the proposed rules implementing **SSB 5721** (auto appraisal clauses in insurance policies).

In response to the prepublication draft distributed by the OIC in September, the trades provided these recommendations, which do not appear to have been included in the rule as now proposed:

1. Consider removing the prerequisite in subsection (2)(b) that requires a minimum of five times serving on an appraisal panel as an umpire prior to qualifying to serve as a registered umpire. This restricts the potential pool of appraisers and makes it more difficult for new appraisers to access the opportunity to serve as an umpire.
2. In subsection (2)(c)(ii)(A), the draft rule includes an educational requirement of “a professional certificate from...The Inter-Industry Conference on Auto Collision Repair (I-CAR)”. We are informed that I-CAR may award a certificate for each individual class, so this requirement may not serve to ensure that an appraiser has sufficient education to serve as an umpire. We suggest that an appraiser achieve and maintain **I-CAR Platinum status** as an educational requirement to serve as an umpire.

Since that time, we received additional comment from our members that provided more detailed recommendations for suggesting multiple pathways for establishing professional credentials and standards for umpires to be included in the OIC pool. We are including those recommendations in this comment letter for the record; they may prove useful as the OIC continues to establish standards and forms to be posted on the OIC website.

In our prepublication draft comments, the trades also included our concern that the rule (then in draft form, but unchanged in current form) references instructions and forms that are to be posted on the OIC website. The reference to the website and forms is a part of the rule. However, to our knowledge, the website and forms are not presently available for review. As we have noted in our previous comments, while we believe we understand that the intent of the OIC has been to expedite the rulemaking process in this case, we believe future rulemakings will be better informed by industry comment if the entirety of the rule, including adjacent forms, instructions and website pages, are available for review prior to rule adoption.

Thank you for the opportunity to provide comments for the record. Additional comments, referenced above, are included in this correspondence for the record.

Respectfully submitted,

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Additional Comments based on recommendations from member companies:

We agree that a clear and robust set of qualifications is essential for a fair and effective appraisal process. The goal must be to create a pool of umpires who possess unimpeachable expertise in both insurance claims handling and complex vehicle repair methodologies. To achieve this, we propose a qualification system based on two distinct professional pathways. This structure values diverse career experience while upholding a uniform standard of excellence.

Our proposal also incorporates key principles supported by the wider insurance industry and includes robust ethical safeguards designed to ensure true impartiality by preventing both financial and patterned reciprocal conflicts of interest.

Proposed Umpire Qualification Standards for Repairable Vehicle Disputes

An individual seeking to be a registered umpire must qualify through **one** of the following **two** pathways. In addition, all candidates must satisfy the Appraisal Process Knowledge requirement.

Pathway A: The Technical Expert Pathway

1. **Experience:** A minimum of **five (5) years** of combined, verifiable experience as either a collision repair technician or an estimator/repair planner for a collision repair facility.
2. **AND Technical Proficiency:** The candidate must meet at least **one (1)** of the following criteria:
 - Possession of a current I-CAR Platinum™ designation.
 - Possession of a current ASE Master Collision Repair Technician certification.
 - Demonstrated proficiency with one or more industry-standard collision estimating platforms.
 - An associate degree (or higher) in Collision Repair Technology, or an equivalent professional designation related to collision repair or damage estimating.

Pathway B: The Claims Professional Pathway

1. **Experience:** A minimum of **five (5) years** of verifiable experience as an automobile physical damage appraiser for an insurance carrier or independent appraisal company.
 2. **AND Advanced Technical Proficiency:** The candidate must meet at least **two (2)** of the following criteria:
 - Possession of a current I-CAR Platinum™ designation.
 - Possession of a current ASE Master Collision Repair Technician certification.
 - Demonstrated proficiency with one or more industry-standard collision estimating platforms.
 - An associate degree (or higher) in Collision Repair Technology, or an equivalent professional designation related to collision repair or damage estimating.
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Appraisal Process Knowledge (Required for All Candidates)

To ensure procedural competence, every candidate, regardless of their qualification pathway, must meet **one** of the following:

- Has served as an appraiser or umpire in at least five (5) prior appraisal proceedings.
 - Has successfully completed a certified umpire or appraisal training program that is recognized by the OIC.
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Universal Requirements for All Registered Umpires

To ensure fairness and transparency for all parties, every registered umpire must adhere to the following ethical and professional standards:

1. **Oath of Impartiality:** For each case, the umpire must sign a sworn attestation affirming their impartiality and commitment to act in good faith.
2. **Conflict of Interest Disclosure and Stipulations:** Prior to accepting any appointment, the umpire must provide a written disclosure statement to all parties. Furthermore, the following stipulations shall apply:
 - **Disclosure:** The disclosure must detail the percentage of the umpire's appraisal-related income derived from insurance carriers versus policyholders over the preceding 24 months and list any direct employment or contractual relationships with the parties involved.
 - **Stipulation on Financial Dependence:** An individual is disqualified from serving as an umpire if they derive more than 50% of their appraisal-related income in the preceding 12

months from **any single source** (e.g., a specific insurance carrier, collision repair facility, law firm, etc.).

- **Stipulation on Reciprocity:** An individual is disqualified from serving as an umpire in a matter if this reciprocal appointment has occurred **more than once** in the preceding 24 months.

3. **Professional Standing:** All umpires must maintain any required licenses in good standing.