



February 3, 2026

**VIA EMAIL (rulescoordinator@oic.wa.gov)**

Rules Coordinator  
Office of the Insurance Commissioner  
P.O. Box 40255  
Olympia, WA 98504-0255

**RE: Comments on R 2025 Clarifying and updating the minimum standards for claims handling (Third Prepublication Draft)**

Thank you for the opportunity to comment on the third prepublication draft of R 2025-5 addressing proposed amendments to the minimum standards for property and casualty claims handling in Washington State.

Our comments are limited to WAC 284-30-392, Methods or Standards of Practice for Settlement of Total Loss Vehicle Claims, specifically subsection (4)(d), which would require insurers, upon a claimant's request, to provide "supporting documentation to demonstrate the comparable motor vehicle's condition."

We note that the proposed requirement appears to apply only to computerized or statistically derived valuation methodologies. It is not entirely clear why these methods would be subject to additional documentation obligations when the same comparable vehicles may be used under other permitted valuation approaches to establish actual cash value without a similar requirement. This disparate treatment raises questions as to the purpose and necessity of the proposed requirement. Additional clarity regarding the rationale for this distinction may be helpful.

By way of background, Audatex, a Solera company ("Audatex"), aggregates hundreds of thousands of vehicle advertisements from publicly available sources in Washington state alone to develop a database that enables the valuations of all potential total loss vehicles. These listings are used, as needed, to support total loss valuations. The proposed rule does not specify what form of "supporting documentation" would be required or what



documentation the Office of the Insurance Commissioner would consider sufficient to satisfy subsection (4)(d).

From an operational perspective, collecting and retaining photographs for every vehicle advertisement included in such databases presents unreasonable challenges. Many vehicles are listed for only a short period before being sold, after which advertisements—and any associated photographs—are often removed or no longer accessible. Obtaining and retaining such materials indefinitely would involve unreasonable data storage costs, and attempting to obtain documentation from private sellers or dealerships would be unreasonably burdensome for all parties involved, including third parties such as private party sellers and dealerships.

We are also concerned that this requirement, if implemented as proposed, could result in delays in total loss settlements for Washington consumers, particularly at times when claimants may already be without transportation.

We appreciate the Office of the Insurance Commissioner's consideration of potential operational impacts to consumers and insurers as it evaluates the proposed amendments. We would welcome the opportunity to answer any questions or provide additional information that may be helpful as the rulemaking process continues.

Kind regards,

*Diane Zeni*

Director Government and Regulatory Affairs  
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