



Paul T. Tetrault
Senior Director, Personal Lines

June 12, 2023

George D. Bedwick
Chairman, Independent Regulatory Review Commission
333 Market Street, 14th Floor
Harrisburg, PA 17101

Via Email, to: irrc@irrc.state.pa.us

Re: IRRC#3373, Proposed Rulemaking, Office of Attorney General, Automotive Industry Trade Practices, 37 Pa. Code Ch. 301.

Dear Chairman Bedwick:

The American Property Casualty Insurance Association (APCIA) appreciates the opportunity to comment on the above-captioned matter. As the primary national trade association for home, auto, and business insurers, APCIA promotes and protects the viability of private competition for the benefit of consumers and insurers, with a legacy dating back 150 years.

We write to express concern that the proposed regulation, which would require certified inspections and related disclosures for sales of used vehicles, could have an unintended negative impact on the process by which vehicles that have been deemed total losses are auctioned for salvage, potentially resulting unnecessarily in increased systemic costs without commensurate benefit.

We agree with the comments submitted by Copart and Insurance Auto Auctions (IAA) suggesting that vehicle auction providers should be exempted from the proposed regulation. In our view, the proposed requirement to require a certified inspection and related disclosures prior to purchase does not make sense in the salvage auction context. Vehicles that have been deemed by insurers to be total losses are sold through the salvage auction process to sophisticated buyers who understand the circumstances under which they are purchasing the vehicles, related risks and need to be repaired before they are able to be driven.

For these reasons, we join with the suggestions advanced by Copart and IIA that that the proposed regulation be amended to exempt vehicle salvage auctioneers, and we specifically suggest adding the following language:

(5.1)(iii) Any business licensed as an auction pursuant to 63 P.S. § 818.303 whose primary business is the auction of vehicles on behalf of third parties shall not be subject to this certified inspection requirement.

Thank you for your consideration of these comments and please let us know if you have any questions.

Respectfully,

A handwritten signature in black ink, appearing to read "Paul T. Tetrault". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Paul T. Tetrault
Senior Director, Personal Lines
paul.tetrault@apci.org