



Auto Body Association of Connecticut

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"Pulling together for a better future"

February 24, 2015

Senator Joseph J. Crisco, Jr.
State Representative Robert W. Megna
& Members of the Insurance and Real Estate Committee
Room 2800, Legislative Office Building
Hartford, CT 06106

Re: Support of SB-412
AN ACT CONCERNING PRIOR REVIEW OF INSURANCE DEPARTMENT
GUIDELINES AND BULLETINS.

Dear Senator Crisco & Representative Megna:

As President of the Auto Body Association of Connecticut (ABAC) and as an advocate for consumer rights in the auto repair market, I write in support of Senate Bill 412. This legislation would require the Department of Insurance (DOI) to submit to the Insurance Committee any guidelines and bulletins DOI intends to issue at least 60 days prior to issuance. The ABAC supports such a requirement as a step toward transparency and fairness.

Currently, there are no formal procedures or guidelines for issuing bulletins. These documents, which are sometimes purported to have the force of law, in fact often run contrary to existing statutes, regulations and common law. What is more troubling, however, is that there is absolutely no public scrutiny with regard to either the development or final issuance of bulletins.

DOI bulletins are developed behind closed doors; they can be prompted as a result of behind-the-scenes lobbying and inside conversations; and they can suddenly be issued, literally appearing overnight. Those impacted by bulletins have no recourse, yet they are being subjected to interpretations and/or guidance that have no indicia of a rulemaking. Bulletins are issued without any notice to impacted parties; without opportunity for public comment; and without opportunity for experts to weigh-in. This is simply unfair to consumers, businesses and others who are affected by these bulletins.

Presumably, our views and the views of other constituent groups could be considered and acted upon if there were an oversight process in place. When the interests of so many people are at stake, there should be greater transparency; and an opportunity for public input through our elected officials. Therefore the ABAC fully supports SB-412 and the inherent protections that it will provide against improper use of

Commissioner Bulletins. Furthermore, the ABAC would suggest that SB-412 be amended to specify the exact oversight that the Insurance Committee would have, and/or require an opportunity for a public hearing in certain cases. The ABAC would welcome the opportunity to work with the Chairs, Ranking Members, and all legislators on the Insurance and Real Estate Committee in this regard.

Thank you for the opportunity to comment.

Anthony Ferraiolo
President, Auto Body Association of Connecticut