

**JULY 2002**

**WEST VIRGINIA INFORMATIONAL LETTER**

**NO. 143**

**TO: All Property and Casualty Carriers Licensed to do Business in the State of West Virginia.**

**RE: Revisions-Official Used Car Guides**

The purpose of this letter is to clarify Senate Bill 593 which the West Virginia Legislature passed on March 9, 2002. It takes effect ninety (90) days from passage, and amends Section 33, Article 6, Chapter 33 of the Code of West Virginia. The purpose of this amendment was to clarify restriction within the statute concerning the type of media and/or products that could be used in West Virginia as an "Official Used Car Guide".

Prior West Virginia Code Section 33-6-33 required that any Official Used Car Guide relied upon by an insurance company to adjust a total loss claim had to be the most recent edition of a "publication". The amendment substituted the word "version" for "publication" thereby broadening the language of the statute to allow a company to use different types of media and valuation methodologies as Official Used Car Guides, with the caveat that it must be uniformly, regularly and consistently used by the insurance company performing the valuation and have received the approval of the Insurance Commissioner.

Previously issued Informational Letters 115, 123 and 127 concerning Official Used Car Guides are to be interpreted in accordance with the 2002 amendment to Section 33, Article 6, Chapter 33, to the extent that any reference to the term "Official Used Car Guide" shall not be solely limited to publicized, or printed material.

Additionally, by Informational Letter 127 issued in February 2001, the Insurance Commissioner invited interested parties wishing to have their valuation methodology and products considered for approval as Official Used Car Guides to submit an application for consideration. Applications were received from several interested entities, and by separate order the following companies and certain of their products were approved:

- Automatic Data Processing, Inc. (ADP);
- National Automobile Dealers Association (NADA); and
- National Auto Research (Black Book).

The Office of the Insurance Commissioner anticipates that the list of approved Official Used Car Guides will require periodic revision due to the entry and/or withdrawal of companies and/or their products from the market for automobile valuation. In order to avoid having to repeatedly issue informational letters to track this information, the Insurance Commissioner has elected to maintain an internal list of the companies and their respective products which have received approval. The internally maintained list shall supercede any prior approved list of Official Used Car Guides.

Should any person require any information concerning what companies and/or products are presently approved, or have any other questions regarding this informational letter, he/she should contact Kathleen Beck, Director, Consumer Services Division, West Virginia Insurance Commission, P.O. Box 50540, Charleston, West Virginia 25305-0540.

Jane L. Cline  
INSURANCE COMMISSIONER