



# OHIO BOARD OF MOTOR VEHICLE COLLISION REPAIR REGISTRATION BOARD MEETING MINUTES

February 9, 2011 10:00 AM

Vern Riffe Tower  
77 South High Street  
19<sup>th</sup> Floor, Rm. 1932  
Columbus, Ohio 43215

**1. THE MEETING WAS CALLED TO ORDER AT 10a.**

**BOARD MEMBERS IN ATTENDANCE:** William Ogg, Jennifer Haley, Ronald Nagy, Russell Westfall, Rick Finney, Virginia Duncan, Hilary Damaser (AG), Michael Greene, Kimberly Sherfield

**BOARD MEMBERS NOT IN ATTENDANCE:** Brian Siebert

**GUESTS PRESENT:** Adam Lemke (ASA-Ohio)

**2. REVIEW OF NOVEMBER 10, 2010 MEETING MINUTES:**

**MOTION TO ACCEPT: RONALD NAGY**

**SECOND: RICK FINNEY**

**VOTE: ACCEPTED**

**3. BOARD REVIEW AND DETERMINATION RE: PENDING REGISTRATION APPLICATIONS:**

A. Vote by Board on regular registrations pending from October 26, 2010 through January 25, 2011.

**MOTION TO ACCEPT: RICK FINNEY**

**SECOND: RUSSELL WESTFALL**

**VOTE: ACCEPTED**

**4. OTHER BUSINESS:**

A. Investigator's Report (Director Michael Greene in for Inv. Dan Gibson)

***WEEKLY REPORT END OF YEAR: 2010 TOTALS***

<i>Shop Visits</i>	<i>754</i>
<i>Renewals</i>	<i>10</i>
<i>NOV</i>	<i>192</i>
<i>New Shop Apps</i>	<i>100</i>
<i>Complaints Investigated</i>	<i>176 (involving 176 shops)</i>
<i>Prosecution Action Pending</i>	<i>333</i>
<i>Shops Located Out of Business</i>	<i>51</i>



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*Dan was in 65 of the 88 counties and traveled 38,000 miles in 2010.*

*QUESTION: When you said 176 complaints, is that separate shops or are they same shop?*

*ANSWER: No, that's involving 176 separate shops.*

### **WEEKLY REPORT YEAR-TO-DATE: 1/31/11 THRU 02/03/11**

<i>Shop Visits</i>	<i>69</i>
<i>Renewals</i>	<i>0</i>
<i>NOV</i>	<i>17</i>
<i>New Shop Apps</i>	<i>12</i>
<i>Complaints Investigated</i>	<i>13 (involving 13 shops)</i>
<i>Prosecution Action Pending</i>	<i>333</i>
<i>Shops Located Out of Business</i>	<i>8</i>

*In years past, the trend has been that new shops were issued an application or intro packets as compared to the shops that are going out of business were about 2 to 1. That trend has turned completely around as you can see in 2010. We have only 51 shops that have gone out of business and have issued 100 applications, so that has completely turned around, a complete 180 from what it was in the past. It looks like so far this year that it's running about the same way. This was as of February 1, 2011.*

*Question: The ones that go out are they 1, 2, 3 year old shops or are they shops that have been in business for a while?*

*Answer: Actually it is a mix of both new and old shops. There are a lot of new ones that got into it and tried it and it didn't work. But we've had quite a few retirements over the past few years, too. When we have anything like that, if the building is set to be an auto repair shop, Dan follows up on it the next time he's in the area to see if someone has taken the shop over or another generation or family, something of that nature. We continually keep those in our follow-up because the buildings are set up for the business and most of the time they are already zoned. It's kind of a mixture of retirements and people who are trying to get in it on their own and couldn't make it work.*

- B. Status Report on Injunctions (Director Greene in for AAG Hilary Damaser) -** *There is a lock-down motion pending in either Belmont County or Columbiana County. We should have an answer on that situation in a few days. We have one injunction pending in Tuscarawas County. That is the county we have been waiting on because when we first filed the paperwork on Belmont, Jefferson, Columbiana and Tuscarawas was in there along with Guernsey County. The ones in Tuscarawas came into compliance but since then we've added a shop.*



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*We're waiting to see what happens there, Hilary will have to tell you for sure if she is up to speed on it. Ted is the one that handled it and he may stay with it until its completion.*

- C. Status Report on Legislation (ASA Adam Lemke) – *There is a lot going on with the new General Assembly. Things will be pretty hectic especially until the new budget has passed.*

*HB 82: The PUCO enforcing the rules on vehicles in the 10000 to 26000 gross vehicle weight range. The rules were suppose to go in effect this January but they are going to actually wait until next January (2012) to enforce the rules. In the meantime, this year, they actually looking into the legality of having to actually enforce those rules because of the negative impact they may have some small business owners. You're talking about landscaping trucks that pull trailers and they are going to have to keep driver's logs and they're going to have to follow the same rules that normal truckers do and it's going to cost the landscaping company more money to keep them in compliance with these regulations. There's that impact, do they cut back on the employees that they have or do they raise their prices We're not sure how far that bill is going to be pushed on way or the other They are starting to schedule public hearings. Representative Grossman out of Grove City is one of the people that are pushing this bill.*

*HB 4 : repeal the random insurance check/inspection. This seems to be one of the hot issues they have targeted. Supposedly now, they have outsourced this program to another company for \$1.5 million. The representative that has recommended this is not only helping a constituent that has had an issue with it, he has also found \$1.5 million which it's not going to help that \$8 Billion dollar gap but it's at least moving in the right direction.. We definitely feel that it's kind of going in the wrong direction. We've already seen enough people that are raising their deductibles or don't have enough money to pay their deductibles or they are lowering what their actual insurance is carrying and now this is one more step that is giving them less reasons for carrying insurance.*

**NCOIL:** NCOIL has had a meeting since our last meeting. ASA has actually pressed them to vote. It has been dragged out now for years. They have been using this as an attention grabber. They know that people from ASA and all of the other associations are coming. They didn't vote on it the last time but they did drop the amendments in regards to the aftermarket parts being equal to OBM parts. This was one of the biggest concerns we had with the issue. They at least dropped that and they retained the rest until the meeting in March. They will continue on with that but they did say they were going to vote on it in March.

The 3<sup>rd</sup> Annual Taking the Hill – May 9-11th in Washington DC. We'll be meeting with representatives and senators out there, helping them understand the issues



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and challenges we're facing. I know that over the past two years we have had a lot of response from those meetings. They obviously appreciated our going out to them. It showed them that we honestly care about the issues.

FURTHER DISCUSSION REGARDING HB4 – REPEALING THE RANDOM INSURANCE CHECK/INSPECTION.

### 5. **NEW BUSINESS:**

A. 5 Year Rule Review Discussion – Were all approved by JCARR. Will be effective Feb. 20<sup>th</sup>. Once that is finished they will appear on Law Writer's website and later on our website.

B. Ethics Reports are due to the Ethics Commission April 15th.

C. Election of 2011 Officers

**Nomination for Jennifer Haley for Board Chairperson:** Ronald Nagy  
**2<sup>nd</sup> Nomination:** Virginia Duncan

**Nomination for Ronald Nagy for Vice Chair:** Jennifer Haley  
**2<sup>nd</sup> Nomination:** Russell Westfall

### 6. **ADJOURNMENT:**

**MOTION TO ADJOURN: RONALD NAGY**  
**SECOND: VIRGINIA DUNCAN**

### 7. **NEXT BOARD MTG. – MAY 18, 2011, LOCATION:**

Vern Riffe Tower, 77 South High Street, 19<sup>th</sup> Floor, Rm. TBA, Columbus.