



OHIO BOARD OF MOTOR VEHICLE REPAIR BOARD MEETING MINUTES

AUGUST 16, 2017 10:00 AM

**Vern Riffe Tower
77 South High Street
19th Floor, Rm. 1932
Columbus, Ohio 43215**

1. **MEETING WAS CALLED TO ORDER AT 10:00 AM**
2. **INTRODUCTION OF MEMBERS & GUESTS PRESENT:** Christopher Sterwerf, Scott Murray, Earl Dohner, Mary Katris, Don Rife, Keenan McKee, Barry McKew (AAG), Mike Greene, Kimberly Peppers, Theresa Peppers, Craig Robinson, Jennifer Johanson
3. **REVIEW OF MAY 17, 2017 MEETING MINUTES:**

 MOTION TO ACCEPT: EARL DOHNER
 SECOND: SCOTT MURRAY
 MOTION CARRIED
4. **BOARD REVIEW AND DETERMINATION RE: PENDING REGISTRATION APPLICATIONS:**

 A. Vote by Board on regular registrations pending from May 1, 2017 through July 31, 2017.

 MOTION TO ACCEPT: SCOTT MURRAY
 SECOND: DON RIFE
 MOTION CARRIED
5. **OTHER BUSINESS:**

 A. Investigator's Reports – Craig Robinson / Jennifer Johanson / Theresa Peppers

MISSION STATEMENT

Effectively and efficiently enforce Ohio laws by implementing Common Sense Initiatives to enhance consumer protection and promote industry growth and compliance.

2017 Totals
Investigator Craig Robinson
January 01, 2017 through August 16, 2017

Shop Visits	891
Renewal Reminders	158
NOV's	336
New Shop Applications	96
Complaints Investigated	104 (Involving 104 Shops)
Shop Located "Out of Business"	27
Total Counties Visited to Date	44

- * Worked with Stark County Common Pleas Court involving an unregistered shop.
- * Worked with Ohio Department of Taxation involving a Summit County unregistered shop.
- * Worked with ATF involving an unregistered shop in Mahoning County.

2017 ACTIVITY TOTALS
January 01, 2016 through August 16, 2017
Investigator: Jenny Johanson

Shop Visits	755
Renewals	149
NOV	238
New Shop Applications	93
Complaints Investigated	45 (Involving 44 shops)
Shops Located "Out of Business"	38
Total Counties Visited	40

2017 ACTIVITY TOTAL
As of August 16, 2017
Investigator Asst. Theresa Peppers

Failure to Comply Letters	13
Notice of Violation Letters	12
Failure to Renew Letters	25
Renewal Application	11
Expired COI Letters	7
Intro Packets	8
Complaints	6

B. Attorney General's Report – (Executive Session if Needed) – AAG Barry McKew
NOTHING TO REPORT*

C. Legislation Updates – ASA Ohio Rep. Matt Dougher (ABSENT)

D. Director's Report – Mike Greene (please see attached.)

RIFE: Has anyone requested to register or certify Aztec? Aztec is going to put mobile scanning vans out on the road; in other words their going to go to shops and pre-scan and post scan vehicles and do calibrations. I don't think they're in Ohio yet, but its coming.

STERWERF: There are those guys that are operating independently on their own, that's a good point.

RIFE: They are looking to put two trucks on the road, I think, in just Columbus.

GREENE: Are they doing repairs?

RIFE: Yes, they're doing scanning, pre-scanning and post scanning the computers on the car and then they'll calibrate the systems that need calibrated.

STERWERF: Collision systems like airbags and collision avoidance systems.

RIFE: See that's what made me think about the mission statement because everything's turned to safety related items. Now we've got more hands in the pot and safety related systems.

STERWERF: Technically the mechanical shops and the body shops are kind of merging together with the technology.

RIFE: We're becoming one in the same.

STERWERF: The scans that a mechanical shop would typically use are now being used by the body shops for the safety systems. There's kind of a blend there, an overlap of expertise – that's a good question.

RIFE: That's why I say our mission statement needs to change to public safety and how the advancement of technology affects public safety.

GREENE: I haven't heard of anything at all.

RIFE: You will. I know they are rolling out in major cities right now so we can't be far behind.

GREENE: So you're saying a scan counts as a repair?

RIFE: Yes, because they're also doing calibrations. Even the scan itself they are resetting the safety systems. They're resetting it because it has received an error code or something from the repair. Then also, beyond that, they are calibrating blind spot monitoring; collision avoidance.

STERWERF: Recalibrating the seats to make sure the passenger seats airbags will deploy at the different rate depending on weight of the passenger.

ROBINSON: How would you advertise that? If you were a vendor, how would you advertise that?

MCKEE: It's a requirement for us to complete our repair procedure.

ROBINSON: If that is all that van is doing, how would they advertise themselves?

RIFE: What's the percentage of shops scanning?

STERWERF: About 10%.

RIFE: Less than 10% - I think they're saying like 2 or 5%. So only, 2-5% of shops are scanning vehicles which is according to most manufacturers a must. It's required.

STERWERF: Capital MUST in most of the repair procedures.

MCKEE: And also, too, on our side it's billed the just the same as a sublet repair. Mike was asking if it was actually considered a repair, that's exactly how it's billed as well.

STERWERF: It's highly marketed in the trade publications.

ROBINSON: So they would send a van out that would be marquee'd with this information on it?

MCKEE: Yes.

RIFE: With an Aztec logo on the side.

MCKEE: And that's going to be more of a commercial, I mean they're not going to go to a customer's home; it's more for businesses that don't have the scan tools that they need. The smaller ones (shops) like ourselves – you know it's hard to try and justify some of the costs sometimes. But it still needs to be done, regardless.

STERWERF: You'll have a similar set up or operation as to a glass repair company where they take glass out to fix a car. The glass company comes back in at the end of the job and replaces the glass back in the vehicle.

RIFE: Since you brought that up, I would love to have the Safelite guy that showed up here and needed something – I'd love to speak to him. "What are you doing about pulling glass and resetting the safety systems?"

STERWERF: They actually have a mobile guy.

RIFE: Yeah, that's what I figured; that's with Safelite who can afford to do that.

ROBINSON: I haven't seen any of these yet. In all of my travels, I haven't seen any.

RIFE: You are welcomed to come to our shop, if you want.

STERWERF: Our shop.

RIFE: At least look at the scanning process to show what it does and that will make more sense to you, to tie it all together.

STERWERF: The vans aren't here yet but its coming.

MCKEE: This isn't a new requirement, it's just a newly pushed requirement.

STERWERF: It's been around since 1995.

MCKEE: Correct! It's more of us trying to get caught up with technology and get the people who pay for the repairs caught up with technology and get it done.

RIFE: Well, the safety systems have just exploded in the last 3 years in cars. Stuff that was just an option on only a high end car and now on some the standard lower end cars.

STERWERF: A rental Hyundai basic four door car had adaptive cruise control and there's no notification anywhere inside the car letting you know that it has it. If you're driving in a major metropolitan area and you get on the highway, you try to change lanes – the steering wheel will actually fight you unless you turn on the turn signal, then it will let you change lanes but if you don't turn on the turn signal it will actually fight you and you will think there is something wrong with the car. If you don't know that it's got that safety system built into it.

RIFE: The buying public doesn't even know what they're buying. They're buying these cars and they're not reading the manual. You're depending on the sales guy to explain these systems and they may not know all of the systems.

MCKEE: The other thing that's happening is the manufacturer (inaudible) what's included. When we ordered our new Yukon, it wasn't supposed to have adaptive cruise control or the lane departure unless we added it; I added it and they took it back off the bill because by the time they built mine and it got delivered it was included on the package that I got. There's some weird stuff like that going on too that they are ever changing what's an included option on certain packages.

RIFE: That's why I get fired up about this board because we need more teeth, not less teeth. It really is probably necessary, just recently, more than ever.

STERWERF: Since they don't have the scan tool, are they subletting to mechanical shops which would then put them under our category if they are doing sublet collision repairs now.

RIFE: But remember there are those that are saying that an aftermarket scan tool is not good enough. You can't use a Snap-on scan tool on an Audi, you must use the OEM scan tool for that particular make on that car.

STERWERF: And we just verified that with a – there's a company that will let us use one of the top line scanners around the country and it's an aftermarket scan tool and it does not pick up everything that the factory scan tool does. An aftermarket scan tool is not a solution and mechanical shops need to know that especially the mom and pop independent garages. If a body shop sublets to them, they're not actually scanning the entire car and all of the safety systems on that car.

RIFE: Isn't there a component of this board that can be tied to Public Safety? I don't know what the Public Safety Commission or if there's a board for Public Safety, I mean really that's what we're talking about.

STERWERF: Under the way the law reads for the Board, we can't do anything about the quality of repairs. Safety is more black and white if done correctly or not; quality is more if the paint job looks cracked or good or if the panel is straight.

RIFE: That's a customer issue to me, but the safety is. Maybe we can get more teeth through another avenue.

GREENE: Well there is a Department of Public Safety but we're not a part of that.

RIFE: Can we be part of that or could we be tied together with them? How do we get our message to them? How do we get them to care about public safety since that's what they do as far as car repairs go.

MCKEW: The Department of Public Safety doesn't really have anything to do with that, they're the police/the State Troopers; the law enforcement but they don't deal with the quality of work issues that pertain to safety, trades or crafts.

RIFE: The problem is, it's going to take the death of somebody important family member or somebody important due to these repairs; we're seeing it in Repairer Driven News; we're seeing these articles coming out where this is happening but it's not going to gain any traction until somebody important gets hurt.

STERWERF: The Ohio Department of Transportation is the only group that would have any sway here in Ohio. Federally, you've got the Department of Transportation Federal Motor Vehicle Carrier Act.

RIFE: Within two days of the (inaudible) scan tool, I made the statement that I was shocked because here all along I thought we were doing a good job for the customer only to find out we were doing quality repairs but we weren't doing complete repairs. That was two days in, we're putting unsafe cars out on the road. We didn't know, it's ok, we didn't know and I'll accept that but it's not acceptable now to not scan these cars. The problem is the insurance companies are also to blame because they're not training their people.

The first scenario is they come out and the vehicle is telling us it needs a steering rack through the scan. The adjuster comes out and says "Well, show me the damage", "what are

you talking about, I can't show you the damage"; he's like "well, you have to show me the damage, I have to take a picture" they have to be able to prove that. I say "guy, it's electronic! It's an electronic steering rack! You can't take a picture of the damage!" And the steering rack on this car - it wasn't going to be replaced. It was only until we scanned it that we realized we were had to replace it. What if we didn't replace it?

STERWERF: You wouldn't know if you didn't scan it.

RIFE: There's a component in here we are missing that is only going to come to light or become important until somebody – it's going to take somebody to get hurt.

GREENE: I would think the AG's Consumer Protection Unit, probably, would have the jurisdiction over that right now. If there's a complaint on something like that, that's where we would have to forward it to.

RIFE: Our industry was always based on something visually wrong; now it's not visual. Now you can't see the problem, but it's there.

GREENE: I think as far as public safety or consumer protection in that area, right now I would think that it would fall under the Consumer Protection Unit of the AG's office. They get like 6000 or more complaints a year, and we send them a lot. We don't have the jurisdiction to investigate something of quality.

RIFE: Again, this isn't about quality. It's not about my paint doesn't match or this door doesn't line up. This is something you can't see, touch, feel or smell. It's there. You turn your turn signal on and your car tells you there's nobody in that right lane and you move over, there's a car there. That's when you're going to find out.

GREENE: What I'm saying is that anything that's not already in our statute, we would send it to them whether it's quality or safety.

RIFE: We need everything in our statute.

GREENE: Well, we've been saying that for 12 years I've been here but the legislation hasn't changed.

RIFE: Again, we were one of those people, we weren't scanning cars.

GREENE: But it's just like the tint thing, you know, until something happens and it gets the eye of the legislature, that's when it changes. A law maker gets a constituent that says "hey, this is wrong" and then they get somebody and they push it to change.

K. PEPPERS: Or it directly affects a legislator.

RIFE: Right! And that's what I'm saying. That's what it's going to take.

STERWERF: So as far as an action item, we may need to roll it over to new business. As far as taking action, what does everyone think would be the next step; reach out and contact them? The Consumer Board?

RIFE: Well, that's why I said the mission statement needs to change, I think, to better state what's currently happening in the industry. We then need to take that mission statement and this kind of information about what these incomplete repairs could cause.

6. NEW BUSINESS:

A. New Mission Statement:

STERWERF: Adjusting mission statement to include scan tools and the fact that the collision world and mechanical world are blending together. With the way the laws are written now, do they fall under the Motor Vehicle Repair Board?

There are steering angle sensors that are being calibrated; a steering angle sensor on a vehicle is what tells the vehicle where the tires and steering wheel are in relation to the computer and all of the safety systems built into that car. If a wheel is damaged because the car went off road and they changed the steering component on that vehicle, those tires are no longer in the same position that as what the computer thinks it is. So, when that computer tries to maintain that lane going down the highway or tries to park you into a parking spot or tries to avoid a collision, that car is not going to act as intended because the computer thinks the wheels and steering system is in a different position than what it really is. What was caused by a collision and if a mechanical shop or a tire shop is fixing that vehicle and they don't recalibrate that steering angle sensor to get that physical portion of that car in coordination with the computer system, there's going to be problems. As I see it, the mechanical world does now fall under the auspices of the board.

RIFE: Let's take another scenario, let's say your power windows not going up and down; do you guys take it to non-body shop mechanical people, where do you take your car? Do you take it to a mechanical shop or a body shop? Regardless of which one you choose, if you take the interior panel off the door and take the mirror off the door, let's say on a Honda, that's blind spot monitoring system – that's going to need to be recalibrated. There's targets that you have to use to recalibrate those. There is a true blend of what's going on between the two. Does the mechanical shop know that? When that blind spot monitoring system comes on with that fault code because they took the mirror off, I don't know when that particular car puts up a hard code. In other words, a light on the dash says "hey, something's wrong!" What they talk about is that there are a lot of them are soft codes which means they're in the computer, there's no dummy light on the dash, but there's a problem. Now you get in that car and you switch lanes, your car is telling you on your mirror that there's nobody in the right lane and you drive right into a car. That's simply from taking a mirror off of the car.

STERWERF: A bumper on a Dodge pickup truck, to change the light bulbs – a lot of people take their cars to a mechanical shop to change a light bulb. A lot of those vehicles, you have to take the whole bumper off to change a light bulb on a car and now when it has radars and safety sensors, adaptive cruise control, to put that bumper back on those systems will to be recalibrated again.

RIFE: Which requires testing driving the car at 17 miles an hour for two miles in a straight line.

STERWERF: Depending on the car.

RIFE: Yeah.

GREENE: Nobody would like to add mechanical more than me, but it's taking more than a vote from the board, it takes legislation to do that. Saying that putting a light bulb in has now become a collision job, I don't agree with.

RIFE: I'm not saying that, not at all.

GREENE: That's what you're using an example of; putting a light bulb in a pickup truck and all of a sudden it's a collision shop.

STERWERF: I'm saying it because it's involved in a collision system.

GREENE: Advanced Auto Parts can put in a light bulb.

RIFE: It is because you're doing the same functions.

GREENE: What I'm saying is we don't have legislation to support that. We can't just cart Blanche say "Ok, everybody's got to be registered." We have to have legislation; it's in the law. If we were allowed to just say "now, we can add mechanical"

STERWERF: If we were to go to a mechanical shop and see them changing a light bulb and it has a vehicle collision safety system on it, they're technically doing collision work, correct?

GREENE: No, they're doing mechanical work with the safety system.

RIFE: I don't know the definition of "collision work", simply taking the bumper off...

STERWERF: It's not clearly defined.

GREENE: It says "damage caused by impact"

RIFE: Ok, which is really not the cause anymore, you might as well change that, too.

GREENE: Not if a light bulb goes out.

RIFE: Right, because simply taking that body part off which is considered a collision or is it just a typical removal or reinstall.....

GREENE: That's the definition in the law.

STERWERF: Going back to the tire shop where you have a collision with a pothole that causes damage to the suspension system.

GREENE: How is it a collision?

STERWERF: Right! That right there wraps up all of the tire shops.

RIFE: And you know how they determine that, the insurance companies determine that by charging you a collision deductible on a mechanical function. Even though it's considered collision.

MCKEW: I agree with Mike's statement, you can't just decide that your area of work is expanding. You have to rewrite your statues to do it. As Mike said, that's really difficult to do.

RIFE: The problem is, the OEM's have decided that; we didn't decide it. It's the way they're building the cars that has change the need for that.

MCKEW: Your statutes don't expand out to that.

RIFE: I got you.

MURRAY: Would it be appropriate to reach out to some of the other groups like Public Safety or the Attorney General's Office Consumer and to express our concerns over what has changed in the industry? Sort of work with them in terms of the right office, the right area – from what we're seeing and how we can blend that together going forward. I think that we all kind of want to work together – the different state agencies and even potentially legislators who may not be interested in this topic. I think that that would be an appropriate way.

If you need someone to attend meetings or reach, I'll be glad to do it.

ROBINSON: Collision - That would be any vehicle that is having repair work, regardless of whether it was involved in a collision? Or are you saying only after a collision?

RIFE: I really hadn't thought about that; I was really focused on after a collision.

ROBINSON: Mike's right, the component only deals with collision, you're going to have a hard time opening an umbrella wider.

STERWERF: Would you agree, though that tire shops deal with pothole damage, suspension damage from collisions with objects on the road; now that the safety systems and the collisions systems in the cars?

GREENE: But they are responsible for their repairs. Even when we had legislation for the past 12 years, the tire shops have been exempted from the legislation. Right off the bat, they took out tires. Shops that had 80% revenue from tires, the legislators omitted.

STERWERF: But most of those tire shops, or a good portion of those shops are now doing heavy mechanical work, where the tires are just what's getting them in the door.

RIFE: Chris tell me something, too. You know better than me, when I took the Honda classes the TPMS system, which they have to deal with...

STERWERF: Is that the system that makes sure all of the inflation of the tires are correct?

RIFE: Yes. If I'm not mistaken, in those Honda classes, that is tied to other safety systems. That's the problem, these systems aren't stand alone; the TPMS, the adaptive cruise they all rely on each other to communicate. When that tire shop is doing that work, they are affecting collision systems, too.

ROBINSON: Here's one of the aspects to this thing, too, if you're going to include that, you're going to involve the insurance companies now, with that. Which means you're going to have to have crash reports for all of those if they're going to support reimbursing for the damage. You're opening up far more; a lot of agencies that are involved here beyond us.

STERWERF: Insurance companies do pay claims for damages, structural, suspension.

ROBINSON: I'm just talking about where you went with the tires. If we're talking about just tires, you're involving a lot more agencies to become involved with this.

GREENE: So if a person gets a headlight put in, they would have to pay for a scan?

STERWERF: Yes.

RIFE: Oh, yes!

MCKEE: Yes.

RIFE: Believe me, especially on the cars we work on.

GREENE: It can't be every brand of vehicle.

STERWERF: Not every, but more and more.

RIFE: Some cars have to be scanned and told that this is for this car. You have to pair them. You have to pair that new headlight, pair that serial number and that headlight to that car or it will not work.

MCKEE: My outlook is the same but a little different, I blame the OEM's as my problem. You didn't know that and you're in this industry? Which means the OEMs aren't relaying and it's not just to us, they're not relaying it to their own dealerships that this stuff has to be done. We just sent a new Chrysler Pacifica that had sonar in front to a Chrysler dealer to get scanned because we had to rebuild the front end. They did a quick scan; looked for just actual hard codes and gave it back to us. They didn't even do what they're required to do and when we contacted them I said "ok, so I need the paperwork that shows you scanned every system, not just this." The issue with that was, they said "what do you mean scan? Why would we go through every computer?" They didn't even know! That's the bigger issue, it's more of a training issue. Now, I understand exactly what you're saying because I deal with it every day, I understand what you're saying, too. You've been trying for how long to get mechanical added anyway.

GREENE: Twelve years! What you're saying is the dealers need to be added, too. I mean the dealers are doing both, mechanical and collision.

MCKEE: I disagreed with the dealers not being added to begin with. To say that a dealer doesn't need to be added with what we do and they do the exact same thing as what we do and they hire from the same pool as we do, it makes absolutely zero sense to me anyways. The reason they're not included is because they have the money, let's be honest.

GREENE: Right!

MCKEE: That's why they're not included.

GREENE: So do the tire people and the retail merchants.

MCKEE: Correct. So you know if anything, there's no way, just because you can sell a few cars on your lot, that you should not be included.

GREENE: If we're talking about a safety issue, and that is what Don is bringing up...

RIFE: That's the only thing we can hang it on.

GREENE: What happens when the repairs get done at the dealership? Who is looking at the at safety issue?

MCKEE: And I don't disagree, now, I think it's a lot harder than us saying "hey, this is what needs to happen", obviously there's a lot of mountains that have to move and the people across the street have to do a lot of stuff.

GREENE: And there's a lot of agencies involved.

MCKEE: This is the same thing we've been fighting, and this isn't just in our industry. Its laws and everything catching up with technology. It's no different than every other agency from law enforcement to everything else that's fighting right now. You know, technology is moving much quicker than all the rest of us can even keep up. We're finding out new systems that come in on cars to us to work on, there's nothing that comes to us or comes to the dealer that says "hey, here's a brand new safety system that we have; here's how it works!" They may say this car now has this option. You'll have four different manufacturers that call the same option a different thing. So, it is, it's frustrating on our side, there's very few even areas that we can go to that we can see. You can't say I have a Kia Optima, so there's no way a Kia's going to have this system; and there's nothing that says it has that system because like I said, some of the systems aren't even telling you inside the car now that they have this option. I had a similar thing, we had a rental go out – a lady had a 98 Buick Century and they put her in a brand new Toyota Camry and she called us crying on the side of the road because her steering wheel was fighting her. She didn't know what was going on, she thought the car was trying to wreck her. We had to get the car towed because she refused to drive it. They don't even say what all options they have. I don't even care if you change a headlight in your driveway; you're a mechanical guy and you change the headlight in your driveway and you take that bumper off, guess what? The system don't work anymore. It just doesn't. If you unhook your battery because you think that you can still do that with a Check Engine light and you think that does something still, you just messed up a whole lot more than you can ever dream of. If Auto Zone puts a battery in your car, good luck! You'll be lucky if it starts – and that's the bigger issue.

On the legislative side, I hate to use the phrase Good Luck, but that's what's got to catch up.

RIFE: But they don't even know.

MCKEE: That's what he's getting, not we can just say "hey, we're going to change this and this is what we're going to do." There's not even really anything out there getting the word out that this has happened and this has changed other than the people who are dealing with it on a daily basis.

RIFE: Can I give some silly facts? These were posted recently and I'll get them wrong so you can clean them up if I tell them wrong, but the space shuttle had 6000 lines of code, the brand new F22 Raptor has 60,000 lines of code; the average new American car has 100,000 lines of computer code in it, with 22 different computer modules. We're not working on cars now, we working on computers that just happened to have wheels on them.

STERWERF: It's more sophisticated than the top of the line fighter that our military has.

MCKEE: I think that's the bigger thing that we're trying to get across, it's not that we can just change the wording of something and all of a sudden that's how it works. Even getting the word out there that this is the stuff that is changing, people don't even know.

STERWERF: It's definitely a tsunami that's here now, majority of the body shops don't even know yet.

MCKEE: From my standpoint, I'm in a different battle than him. Try being in a 6000 square foot shop that's right at \$150,000 a year in sales and trying to keep up and trying to afford the equipment it takes to work on these cars when your closest dealership is 35 miles away and you can't even drive the car to the dealership because you don't know if the safety system is going to work and I'm not going to ask one of my guys to get in and drive it.

RIFE: Think about that.

MCKEE: So, you know it's very frustrating on our side.

ROBINSON: How about in about 10 years when we have self-driving all over the place.

STERWERF: It's here now. We've already worked on one.

ROBINSON: But I mean, when the percentage grows there's far more. My understanding is there is a healthy percentage on the Turnpike already.

STERWERF: With that being said, our mission statement definitely needs to be re-written and we need to have a conversation with other agencies. We're going to get ASA, hopefully we can get that arm moving again and get in touch with some of the dealerships. I know the dealerships are have some problems too, they realize it. I think if we work together we can make Ohio ahead of the game compared to the rest of the country and we lead for safety. That's what we're here for, for the consumer.

K. PEPPERS: Well, if you're going to do that, you're probably going to need to talk legislators and get the legislation changed.

GREENE: That's where ASA in.

MCKEE: Back to your fact about the dealers, I have never heard of a justification for why a dealer is not required to register anyways. I mean, if you can one other than money, I would love to hear the justification for why a shop that does the same thing that we do with the same people with the same equipment. The other things is they say that they're GM's and they work on GM cars. They don't work on just GMs they work on every car. A collision shop is a collision shop they don't care what dealer it is. I have never heard a justification that even makes sense for why a dealer doesn't have to register other than their legislation is better than ours.

STERWERF: At the time they had better lobbyist.

MCKEE: I definitely disagree with that, that's something that should be addressed first, but it is what it is.

STERWERF: Are there any suggestions for new mission statements for us to think about?

RIFE: I jotted notes down so I can certainly submit what I say it should be; I wouldn't want to write it necessarily. I'll put my two cents in, I think if we all did that.

GREENE: Sure.

RIFE: I don't know how you normally do that.

GREENE: Well, it's been a while since it changed. Probably it changed, I think, when Governor Kasich came in; I think that was the last change we had. They wanted the

agencies to have something about the Common Sense Initiatives. Then before that, the administration wanted something in there, I think, about the Core Values?

MCKEW: They called it the Core Value.

GREENE: Yeah, the catch phrase "Core Value" in there and so that's kind of what has dictated the changes.

INAUDIBLE DISCUSSION

GREENE: They want the agencies focusing on – in this administration, anyway – Common Sense Initiatives is a big thing.

RIFE: What does that mean?

JOHANSEN: Business friendly.

RIFE: Saying that, public safety, obviously, and education of the customer and the repairers. So those two things are the things that we need to hit that.

GREENE: So education and public safety?

RIFE: Education would be to the customers since they obviously don't know what they're putting their butt in everyday when they're driving to work. Then repair shops, educating them, helping them understand what they don't know. That's where it really is, you don't know what you don't know. We don't any more than that, really. Like you said, we're not trying to shut people down, we're trying to help people. Unfortunately, with that comes expense.

GREENE: I think that's good to mention the industry and the consumer; public safety and education is good and then something probably about efficiency.

DOHNER: How about equipment requirements, I mean, it's nice to know that if things don't because of this or that but unless you have the equipment.

RIFE: And I'm all behind that, but I don't think you can do that. As long as it gets done whether they have the relationship with the dealer down the street, it just needs be done.

MCKEE: I don't think we have jurisdiction over any ones equipment.

GREENE: We really don't have anything in the statute that dictates that.

DOHNER: Yeah, but it's worst on the mechanical side because there's a lot of shops out there that are mechanical shops that don't know how to fix them and don't have the equipment to tell them how to fix them.

RIFE: But as long as they have a relationship with somebody that can do what they can't...

DOHNER: No, they just patch them and put them back on the road.

RIFE: I agree.

GREENE: and that's where the education and public safety comes in.

RIFE: So, I mean again, when the inspectors go out – there's that other component which again, I don't know what jurisdiction we have. We just really want the cars fixed.

MCKEW: You inspectors cannot ask questions along the line that you're saying because it has nothing to do with your jurisdiction.

RIFE: Yeah

MCKEW: It has nothing to do with that. If they're expanding, if the shop owner said "I'm not answering those questions" we have no recourse.

GREENE: How do you want to do this? Do you want me to put out something for everybody to take a look at and then at the next meeting vote on like, here's choice #1, #2 or #3? How do you all want to do that?

RIFE: Put them all together, whatever it takes.

GREENE: Do you want to decide on something today?

MCKEW: Your mission statement has no authority to it so, all I care about is that you are following the statutes and rules.

RIFE: We can't go to other agencies and say "We need to give them something, this is what our mission is and it's about public safety."

MCKEW: It's not, that's what I've been trying to say. You've been describing things that you want in your mission that you don't have any authority to do. You can put it in there if you want, but I'm just saying it has no weight.

RIFE: But I think that's a start. That's all I'm saying.

ROBINSON: Everything we do is base in 4775. I'm looking at it right here and it re-enforces itself constantly by using the word "collision".

RIFE: But that doesn't make it right. It needs to change.

ROBINSON: I'm not evaluating, I'm just telling you

STERWERF: But "mechanical" and "collision" aren't defined anywhere in clearly in the law, though. And based on our conversations, they're overlapping.

RIFE: If that's the case, then we're never going to get anywhere. That has to change however it can be changed.

ROBINSON: I agree with that.

RIFE: And it starts with the mission statement, what are we here for? We're here for the customer, a proper repair. Not a quality repair, a safe proper repair.

MCKEW: But your law specifically states – I'm just trying to tell you, I'm not arguing with you – you make valid points, morally correct points in the market place. Your law specifically states you have nothing to do with the quality of work and thus the safety of it. You can't even inquire.....

RIFE: Isn't quality and safety two different things?

MCKEW: No. You can't make up stuff and say this involves safety. You had nothing to do with that. You have nothing to do with the quality of work and thus the safety.

STERWERF: "Collision Repair" is defined. "Collision" means when two or more objects, whether mobile or stationary, contact one another in a manner that causes an alteration of the surface, structure or appearance whether separately, collectively of the object that is a party to the occurrence. "Collision Repair" means any and all restorative or replacement procedures that are performed on and affect or potentially affect the structural, life, safety...

RIFE: Awesome, any and all!

STERWERF: or cosmetic component of a motor vehicle to a condition approximating or replicating the function, use or appearance of the component prior to a collision.

RIFE: Whose definition is that?

STERWERF: This is right off of 4775.

RIFE: Perfect

STERWERF: And where it says collision meanings the occurrence on which two or more objects, whether mobile or stationary, contact one another in a manner that causes.....

MCKEW: But that definition is in there so that your two fine inspectors can decide whether this shop has anything to do with your jurisdiction. It's not that you have authority over those individual aspects of collision.

GREENE: Let me give you an example of what I'm looking at: "With public safety in the forefront, enhanced consumer and industry education while implementing common sense initiatives."

RIFE: It says "common sense".

STERWERF: Is "common sense initiatives" relevant, because that was like 3 administrations ago, wasn't it?

GREENE: No, that's the Kasich Administration.

STERWERF: It is?

GREENE: Yes. Mary Taylor

STERWERF: I thought when I looked into that it was from back in the 90's when we first started the board.

GREENE: That's what I said, we updated it when Kasich got it office because of the common sense initiative.

ROBINSON: One of the things it says under powers and duties, it says "nothing in this chapter shall be interpreted as grant the board over a motor vehicle collision repair operator concerning the quality of work performed and the repair of or installation of parts on motor vehicles." These are things we have to work under.

STERWERF: Quality is subjective as safety is objective.

ROBINSON: I know.

RIFE: You know that car that was fixed in Texas by Giant Eagle Collision Center was, I believe, bought by another dealer. Again, a lot of people are lean on Carfax to tell you what happened to that car prior. I think what's going to come eventually is that when a company/dealership, used car lot or whatever buys a car, it would behoove them to scan that car. It's almost like a Carfax but with data; with hard data. Scan that car to make sure that they're selling a car that's safe; that's been put back to safety specifications. I think that's going to come out of that eventually. It's going to force them to document that there's a safety issue on that car and fix it or make that choice to not fix it and open themselves a liability.

STERWERF: I don't know if anybody's heard about it but there's a case in Texas where a Honda Fit was in a collision. The people that owned the car were second owners of the car; the previous owner took that car in for repair for hail damage to the roof. A simple hail damage repair, which people think is cosmetic and not a big deal. The easiest why they felt to repair that car was to remove the roof skin and put a new roof skin back on. They did not pay any attention to the Honda repair procedures and they followed the directions from training from an adhesive manufacturer and they put the roof on with adhesive. Honda clearly states in their procedures that it needs to be welded. There are some cars where you can use adhesive but not all cars.

When that car was in an accident, the second owner had no idea that the car had been fixed prior for hail damage. It caused the car to collapse, the car is designed to take the collision force and put them around the passengers. The way that roof was it caused the top of the car to basically unzip like a zipper and it drove the engine and transmission to the fuel tank which caused a fire and pinched the passengers' legs inside the car. They were severely burned inside the car. You would think that a frontend collision it would have bent the frame rails out but because the roof didn't hold its integrity to allow the rest of that car to act like it was supposed to in the collision that caused those peoples' lives to be drastically changed. Again, it's the adherences to OEM repair procedures that the vast majority of our industry is not paying attention to. They are looking for the quickest, easiest, fastest way to get that car out the door is putting the consumer absolutely at risk.

The scanning, again, is what mechanical shops doing all day long is part of that component. We've got to figure out how to tie everything together and educate the industry and change our statute.

We'll dig in deeper into that.

MCKEE: It sounds to me like nothing that we say in here can matter until the people down the street do something. Unfortunately if someone gets hurt or killed; and that's what it's going to take to do it – you know that's unfortunate, but that's the way I'm taking it. We can talk about it, and we can try figure out ways but there no jurisdiction what so ever that this board has. There's nothing that says this board can't provide information and tons of information and stuff of that nature to at least show that "hey, we know that we can't enforce this but this is what should be happening". There's nothing that states that we can't do that, correct?

GREENE: Correct.

MCKEE: Maybe that's a route if we can't press stuff we can at least figure out a way to distribute we our networks in the context that we have since people are supposed to be registered if they are doing these repairs. It's something that we can of that nature.

RIFE: That's what my point was again with the inspectors, help educate people.

STERWERF: What if they put out public position statements similar to what the OEM "This is what the State of Ohio Repair Board recommends"

MCKEE: Is that something that we can do?

MCKEW: It's not under your authority. You're not a consumer advocate; you have nothing to do with the customer. You only have to do with the shop.

MCKEE: I'm talking about informing the shops on what they need to do; passing information on, not generating information.

RIFE: So our mission needs to change and our legislation needs to change, at least in some ways even if it's not pulling in the dealers.

It just doesn't sound good. It sounds like we can't do anything; we can't educate people.

GREENE: Well we have all types of things on our website to help educate people. We send stuff out to the shops when we get it.

RIFE: That's great, it's better than nothing.

MCKEE: That's what I was thinking, is the stuff that we're sending out that you're emailing on a regular basis, I read it -- maybe we can start getting more information along those lines of that type of stuff included in there with it.

GREENE: Who did you say put out information now, OEM?

STERWERF: All of the OEMs' do. *Repair Driven News* is one of the news sources that's on the cutting edge.

ROBINSON: How is that disseminated?

STERWERF: Shops that are in the know and pay attention to SCRS (Society for Collision Repair Specialist).

ROBINSON: I can't begin to tell you how many shops do not access the information you're talking about -- we're talking about Cleveland, Akron, Youngstown, and Toledo. They don't even want to know about this stuff.

I'm not trying to rain on your parade, but that's going to be a difficult thing to disseminate, it really is. The main complaints that Jennifer and I get is shops complaining about dealerships. It's one of the things we have to dance with, however, we do it. We dance with it because, again, it's not within powers and duties to be able to affect that. So we merely explain that we understand that, however it does not eliminate you from having to comply. It's a difficult situation, but its part of the job.

RIFE: Why this board was originally started, though, partially does not apply today. Technology has changed. If we're just registering shops, I really wonder what that is worth it now. It looks like the mission has to change. I don't see any value, I mean personally in relation to the board, as it stands.

STERWERF: If the rest of our industry would get involved.

RIFE: It's the 2% that care.

STERWERF: In the meantime, to take action – we'll table this for next meeting. Submit ideas for changing our mission statement. Maybe that will set the tone for future discussions and actions. Everyone submit your ideas to Mike and maybe Mike can distribute them out to us and then we'll vote on them at the next meeting.

7. OLD BUSINESS:

A. Bureau of Labor Statistics Report TABLED TO NEXT MEETING

MOTION TO ADJOURN: MCKEE

SECOND: MURRAY

MOTION CARRIED

ADJOURNMENT: NEXT BOARD MTG. – NOVEMBER 15, 2017, LOCATION:
Vern Riffe Tower, 77 South High Street, 19th Floor, Room 1914, Columbus, 43215.

DIRECTOR'S REPORT
August 16, 2017

- I. **FY17 Total Revenue = \$476,863 (Arrears = \$24,378)**
 - A. FY16 Total Revenue = \$418,129 (Arrears = \$27,038)
 - B. Increase = \$58,734

- II. **1749 Current Registrations**

- A. 1 Airbag Business
 - B. 1346 Collision Shops
 - C. 46 Dealerships
 - D. 177 Glass Shops
 - E. 25 Mechanical Shops
 - F. 47 Mobile Businesses
 - G. 107 Tint Installers
 - H. 123 Pending Registrations
 - I. 130 New Registrations issued in FY17
 - J. 133 Out of Business in FY17
- (Total Businesses in E-Licensing System = 4520)

- III. **Non-Compliance**

- A. 228 "Not Registered" under investigations

- IV. **Complaints Forwarded**

<u>AGENCY</u>	<u>2017</u>
OAG	3
EPA	5
TAX	6
BWC	3
NICB	5
DOI	0
IRS	3
BMV	0
OSHP	0
BBB	20

- V. **Other News**