



**OHIO BOARD OF MOTOR VEHICLE REPAIR
BOARD MEETING MINUTES**

May 15, 2013 10:00 AM

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

1. THE MEETING WAS CALLED TO ORDER AT 10:02am.

BOARD MEMBERS IN ATTENDANCE: Joseph Sanfillipo, Jr., William Ogg, Russell Westfall, Brian Seibert, Jeff Wagner, Summer Moses (AAG), Michael Greene, Theresa Peppers, Kimberly Sherfield

BOARD MEMBERS NOT IN ATTENDANCE: C. J. Paterniti, Christopher Sterwerf, Daniel Gibson

INTRODUCTION OF NEWEST BOARD EMPLOYEE: Theresa Peppers, Investigator Assistant

2. REVIEW OF FEBRUARY 13, 2013 MEETING MINUTES:

MOTION TO APPROVE: WILLIAM OGG

SECOND: RUSSELL WESTFALL

VOTE: MOTION CARRIED

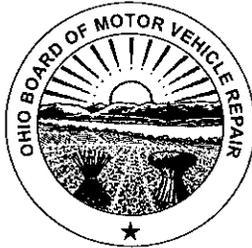
3. BOARD REVIEW AND DETERMINATION RE: PENDING REGISTRATION APPLICATIONS:

A. Vote by Board on regular registrations pending from January 29, 2013 through April 30, 2013.

MOTION TO APPROVE: WILLIAM OGG

SECOND: RUSSELL WESTFALL

VOTE: MOTION CARRIED



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4. OTHER BUSINESS:

A. Investigator's Report – Investigator Dan Gibson (Director Greene)

Shop Visits	211
Renewals	11
NOV	64
New Shop App	83
Complaints Investigated	54 (Involving 54 Shops)
Shops LOB	8

During which time Investigator Gibson visited 37 of the 88 counties.

B. Attorney General's Report – AAG Summer Moses – We have six shops that are ready to have injunctions filed against them. But, since the Attorney General hasn't contacted them since October, we've decided to send out another letter giving them 30 day notice and that will go out by Friday to let them know that they have 30 days to come into compliance or we'll start the paperwork towards injunctions with the Attorney General's Office, well we have to get the Attorney General's approval first, then we'll file the injunctions. I met with Mike and Dan the other day to discuss the window tinters and issues dealing with them. That's all I have going on.

SANFILLIPO: Summer what is your feeling of the Attorney General's first letter against them?

MOSES: So far in the past they've approved all of them, I can't say they'll do that. The letter was just something they wanted before we move forward.

SANFILLIPO: My concern is if we don't get the backing of the Attorney General's office, all of the investigations were for not.

MOSES: Right, it hasn't a problem in the past, getting their approval so, I can't imagine that it would be now.

SANFILLIPO: Ok. So in 30 days or by the next board meeting we will know if there has been an injunction filed?

MOSES: You should or at least we're in the process of filing the injunction. Sometimes there's a lot of paperwork to get together so sometimes it takes a little longer once we give them the 30 days, then we would have to write up the approval then we get the



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packets together and then we submit everything. So we should know that we either filed or are filing.

SANFILLIPO: What is the time frame for something like that?

MOSES: Which part?

SANFILLIPO: Well, to get an injunction filed – to get the process started. My concern is, this was since last October since this was last followed up with. So if it takes us another six months to get this thing rolling, we've got other ones coming in on a monthly basis, we're never going to catch up.

MOSES: Well, we can now file in Franklin County, so it will go a lot quicker and we should be able to move and now that we're not switching AG's quite as frequently as we were before. It's a little easier and quicker for us because I have had to go back and pick up Cheryl had done and Janice had done before here and you guys have been through quite a few AAG's in a short period of time

It makes it a little easier for me, myself, to pick up and move things along and do it myself. So it should be quicker than what you've seen in the past.

SANFILLIPO: I think that once we start seeing some action out there and the word starts spreading it may be a little easier to get some of these people to come into compliance.

C. Legislation Updates – ASA Ohio Rep. – Most Favored Nation bill is being reviewed ASA's Legislation at this point. Apparently all of the research they have done on it in the past is with the medical end and that seems to be in our favor that they may get that turned around so that we're not, as a collision industry, forced to follow underneath this. (INAUDIBLE) I should have something on that by next meeting.

The mechanical registration bill is proceeding (INAUDIBLE). We have the used car dealers just about on board. The new car dealers, we think, will come along. It's in about the best shape that this has been in since we've had it going. So there is some real promise looking at that. The salvage bill has been reintroduced, but it's sitting dormant at this point. Going to try and follow along this next couple of weeks to see if we can get this thing moving.

SEIBERT: Joe, in regards to the mechanical registration, I know in the past we have come close to getting that to a vote, how close are we to that actually....



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SANFILLIPO: This is the best shape we've been in, according to our (INAUDIBLE). They are looking at it very favorably, hopefully we'll have something by the end of the year on this thing. It's as close as it has ever been, I'd say we've finally got the...the used car dealers are just about on board with this thing. The new car dealers we expect to come along if the used car dealers come along. They've always been a bit of a problem, the new car dealers. Their lobbyist is not pushing it, they're not pushing back as hard as they did in the past. So, it does look encouraging.

SEIBERT: Are there any questions for the ASA?

OGG: What is the number for the new dealers bill?

GREENE: It hasn't got a number yet. Today's the deadline on the language it has to be in is what I was told. Today is the deadline on that and so it should be introduced in a few days, I imagine. But, I haven't seen a number. It's going to be a senate bill, I think it's coming from Senator Uecker's office.

D. Director's Report – Mike Greene (SEE ATTACHED)

REVENUE

Fiscal Year 2012 was the highest revenue year on record. With the tinting coming on and we're actually are getting a lot more auto glass on board, I look for the revenue to go up.

CURRENT REGISTRATIONS

We now have 98 tint installers in the system, by the next meeting we should have quite a few more on board.

COMPLAINTS FORWARDED

The Department of Taxation filed a public records request for our entire list in the e-Licensing System. They wanted the exempt shops, dealers, mechanical – they wanted every shop we have in that system and they're going to start with the ones that are in a not registered status with us, which are about 400 give or take. They are going to start running tax investigations on the ones that are not licensed with us that should be. That may speed up our process, too, I don't know.



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The ones that we're turning over, where we don't have the ability to enforce things really quick or put a stop to some of that, other agencies are getting involved. They're taking them from us right and left. That's good because they're finally seeing that if they are avoiding something as simple as motor vehicle registration then they're probably avoiding a lot of other things. They're jumping right on everything we give them.

LEGISLATION

I haven't heard anything different than what Joe reported on the legislation. Everything that I've heard is exactly the same from Andrew Huffman. Unlike the bills in the past, this is really good timing, I think that it's going to go good. I spoke on the budget hearing to the senate a couple of weeks ago and that was one of the main topics of the hearing; how important it is to consumer protection to have the mechanical involved in this. So I think that we're going to get some support.

OGG: The airbag business, is that reinstallation of airbags that's been used?

GREENE: This company is actually the only one here in Ohio that I'm aware of that manufactures new airbags for replacement in vehicles and they do the replacement also.

OGG: Just a regular repair shop? Do they reinstall them?

GREENE: They do reinstall them. I think it's a thing where they come to the shop. Don't they?

WESTFALL: Is it an aftermarket airbag?

GREENE: No, I think they are brand new. I don't think its aftermarket.

WESTFALL: To my understanding they're mobile, they'll come and put them in.

GREENE: It's called the Airbag Company, is what the name of the company is

OGG: What I was going to ask also on that, is there any percentage of cars that are totaled that the airbags exploded off?

GREENE: I don't know.



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WESTFALL: I would say the percentage is pretty high.

GREENE: Probably.

SEIBERT: I thought there was legislation that said that a car couldn't be totaled by airbag deployment.

WESTFALL: Is that figured in?

SEIBERT: I don't know, is it?

SANFILLIPO: They are not supposed to be able to total a car due to airbags.

WESTFALL: Is that a law now? I know they talked about it, I didn't know that it was in.

GREENE: I don't know if it's in an actual law or if it's in the Department of Insurance guidelines.

WESTFALL: Most cars with airbag deployment are hit hard enough to be totaled out.

OGG: That's what my question was, what percentage would be totaled, where the airbags were deployed.

WESTFALL: We don't install that many airbags. Most insurance companies will not allow used airbags. They'll insist on new ones. We own a salvage yard and airbag sales on used are zero. You might as well just through them away.

5. INTRODUCTION OF NEW BOARD MEMBER JEFF WAGNER, KUMLER COLLISION.

WAGNER: I'm Jeff Wagner, I'm with Kumler Collision located in Lancaster. It's been around since 1928, I've been there a little over 30 years now. I've been involved with ASA of Central Ohio Legislative Chair for a few years and a collision chair. I've done few different things, just love the industry, I like to keep up on what's going on. I look forward to sitting on the board. Keith Kumler, who passed away do to an accident a few years ago, he was on the original board when it was set up. His partner, Dean DeRolph, then filled his term and so I just decided to step in and keep in touch with what's going on and I look forward to serving the board.



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6. ADJOURNMENT

**MOTION TO ADJOURN: BRIAN SEIBERT
SECOND: WILLIAM OGG**

**NEXT BOARD MTG. – AUGUST 14, 2013, LOCATION:
Vern Riffe Tower, 77 South High Street, 19th Floor, Room 1932, Columbus.**