

OHIO BOARD OF MOTOR VEHICLE REPAIR

77 S High Street, 16th Floor
Columbus, Ohio 43215

Public Meeting Minutes

Attendance

The Ohio Board of Motor Vehicle Repair met at 77 S High St in Columbus on November 10, 2021 at 10:00 a.m. with the following members present:

Board Members Present:

Keenan B. McKee, Chairman
Christopher K. Speck, Vice-Chair
Michael Giarrizzo
Bruce T. Hale
William H. (Howie) Graf
Christopher A. Macisco
Randall P. Blanchard

Board Staff Present:

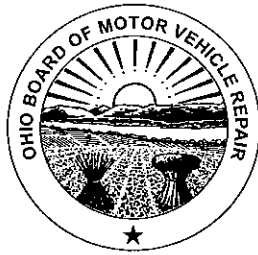
Executive Director, Michael R. Greene
Program Administrator 1, Paige Beavin
Investigator, Jennifer E. Johanson
Investigator, Culburn C. Robinson
Board Counsel, AAG, Andrew Rowan, Esq

Guests Present: Matt Dougher, ASA

1. **CALL TO ORDER:** The meeting was promptly called to order by Board Chair, Keenan McKee.
2. **INTRODUCTIONS OF BOARD STAFF, MEMBERS AND GUESTS PRESENT.**
3. **REVIEW OF AUGUST 11, 2021 MEETING MINUTES:**
Motion to Accept: Bruce Hale
Second: Chris Speck
Vote: Motion Carried
4. **BOARD REVIEW AND DETERMINATION RE: PENDING REGISTRATION APPLICATIONS:**
Vote by Board on regular registrations pending from August 1, 2021 through October 31 2021.
Motion to Accept: Chris Speck
Second: William Graf
Vote: Motion Carried

MISSION STATEMENT

"Enhance consumer protection and safety in the auto repair industry through education and public awareness while facilitating registration law compliance for repairers."



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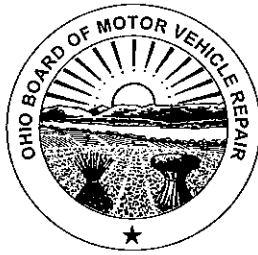
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5. OTHER BUSINESS:

- A. Investigator Reports** – Investigator Johanson presents quarterly report and informs board of out of business shops. Investigator Johanson had 455 shop visits in total and investigated 8 complaints with 17 shops out of business. Investigator Robinson visited 526 shops in total for 2021. Robinson investigated 15 complaints and located 44 shops out of business in 2021. 11 of those shop closures were in 1 week with a few owners passing away from COVID, but most were due to the ongoing labor shortage. Investigator Assistant Theresa Peppers has been completing research for unlicensed shops and returning phone calls from consumers and registrants to bring registrations current.
- B. Attorney General's Report – (Executive Session if Needed)** – Assistant Attorney General Andrew Rowan is in the process of determining a recourse for violations. ORC 4775.3.01 determines that agency is to refer to code for administrative hearings, but the code should refer to the agency. If we do have jurisdiction, we may have administrative hearings with the board. AAG Rowan is waiting for feedback from his supervisor, but he does recommend that we begin holding hearings. Director Greene mentions that previously the cost was too high for hearings and that injunctions were effective and closed some shops down. At first, injunctions were filed in all counties, but changed to Franklin County only. AAG Rowan explains that the injunctions were filed against the business and could change the business name. The hearings do not have to be brought against the business but can be the owner. Referring to the costs, hearings can be held on dates already scheduled for board meetings to keep costs lower. A hearing officer is not required if the full board is not present, but a court reporter may be necessary. CRB Administrative code gives jurisdiction to bring action against unlicensed shops. If we cannot recover the fines from the hearings, the Attorney General Collections office will handle it, but merely sending certified letters may begin to deter unlicensed shops from continuing business. Director Greene addressed the issue of determining shops are completing 5 or more jobs a year. AAG Rowan states to use Facebook to find any posts about completed cars for evidence. He would like the board to determine where fines will be applied, a matrix of amount of fines for each violation, and draft a form letter for notice of hearings and a consent agreement letter. Board and staff discuss the importance of protecting the consumer via the Motor Vehicle Repair Board. At least verifying that shop owners hold insurance to protect the consumer in any problems with a body shop. Chairman McKee asks AAG to complete more research and advise board what we have jurisdiction to do in regards to discipline.

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- C. Legislation Updates** – ASA Matt Dougher advises that there is not much legislation updates in Ohio, but in federal Massachusetts courts are determining the right to repair and who can access the data from cars. ASA Ohio and ASA National are disaffiliating and will be renamed Autobody Service and Repair Association of Ohio. Name change or DBA will be filed with Secretary of State. There are no more state affiliates with ASA National.
- D. Director's Report** – Director Greene informs the board of the 2021 fiscal year revenue up to almost \$277,000, where the total for 2020 was only \$30,000 (due to COVID). 1,955 registrations in Ohio, which is down due to some dealers withdrawing. Director Greene asked for any inactive files (for over 10 years) to be removed from our eLicense system and the report found 609 files that could be removed. The fiscal year ends in July and we will have the ability to make the decision to remove those files. The office staff is working a hybrid schedule where we each go in the office one or two days a week. The state of Ohio is talking about getting rid of office space, so this schedule is indefinite, as of now.
- 6. OLD BUSINESS:** No old business to report.
- 7. NEW BUSINESS:** New board meeting dates for 2022. Any meetings can be rescheduled if there is public notice, but it is difficult to schedule a meeting room in short notice.
Motion to accept 2022 board meeting dates: Chris Macisco
Second: Bruce Hale
Vote: Motion carried
- 8. PUBLIC COMMENT:** No public comment to report.
- 9. ADJOURNMENT: NEXT BOARD MTG. – WEDNESDAY, FEBRUARY 9, 2022 @ 10:00AM**
Motion to Adjourn: William Graf
Second: Chris Macisco
Vote: Motion Carried

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DIRECTOR'S REPORT

November 10, 2021

I. FY22 Revenue = \$276,924

II. 1955 Registrations

- A. 2 Airbag Business
- B. 1460 Collision Shops
- C. 16 Dealerships
- D. 193 Glass Shops
- E. 85 Mechanical Shops
- F. 56 Mobile Businesses
- G. 143 Tint Installers

(Total Businesses in E-Licensing System = 5207)

III. Other News

- A. The office personnel is operating on a hybrid schedule until further notice.
- B. eLicensing is working on purging old files (10 years or more inactive)