

OHIO BOARD OF MOTOR VEHICLE
COLLISION REPAIR REGISTRATION
BOARD MEETING MINUTES

August 10, 2005 10:00 AM
Ohio Department of Public Safety
Shipley Building, Room 134
1970 West Broad Street
Columbus, Ohio

1. **CALL TO ORDER:** Chairman Dean DeRolph called the meeting to order.
Time: 10:05 a.m.

Present: Dennis Sterwerf, Dean DeRolph, Rick Finney, Ben Williams, Richard Jones (AAG), Ralph Emus, Dave Weber, Barbara Lewis, Lisa Clark (ASA of Ohio), Dave Murdock (OBOA), Robert Cassidy, Mike Greene, Bob Anderson, Herman Carson, Waylon Collins, Paul Duncan, Travis Morgan, Rick Little, Mark Mowery, Charles Wiley, Chuck Postlewaite, Bernie Brucard, Mark Kalb, Earl Dohner, Chris Stammen, Charles Walsh, George Barton, Lisa Clark.

Comments: Introductions & welcome.

Guest Speaker: Michael O'Hara, owner of Salem Glass & Mirror, Inc. in Salem, Ohio. Mr. O'Hara spoke about the glass industry as it pertains to collision repair and consumer safety. He distributed materials pertaining to the National Standards, and answered questions from the Board and guests.

2. **REVIEW OF June 8, 2005 MEETING MINUTES:**

Motion: Dave Weber motion to accept

2nd: Barb Lewis

Comments: Passed

3. **BOARD REVIEW AND DETERMINATION RE PENDING**

REGISTRATION APPLICATIONS: Vote by Board on regular registrations pending from June 3, 2005 to July 29, 2005.

Motion: Dave Weber motion to accept all

2nd: Ralph Emus

Comments: Passed

4. **BOARD REVIEW AND DETERMINATION RE EXEMPTION REQUESTS:**

**Motor Coach Restorations, 44254037, 8000 Rodgers Rd, Lodi,
OH 44254**

OHIO BOARD OF MOTOR VEHICLE
COLLISION REPAIR REGISTRATION
BOARD MEETING MINUTES

Motion: Dennis Sterwerf motion to withdraw the requirement of registration for Motor Coach Restoration

2nd: Ben Williams

Comments: Mike Greene spoke about his visits to the facility and stated there was no indication of collision repairs or work for the general public. All the jobs he observed were public safety vehicles, none of which were collision jobs. Inv. Greene recommended exempting Motor Coach Restorations.

AAG Richard Jones stated it was his opinion that the Board has no jurisdiction over Motor Coach restoration and that exemption does not apply in this case.

Dennis Sterwerf discussed his concern that Motor Coach Restoration is painting in large volumes and creating hazardous waste as well as air quality issues. Dave Weber agreed and said they also have the ability to do collision repairs at any time. Mr. Jones said the hazardous waste is an EPA issue and if Motor Coach Restorations began collision repairs on motor vehicles other than emergency vehicles, then we would address that when it occurs.

Motion passed to withdraw the requirement to register Motor Coach Restorations. Attorney Charles Postlewaite thanked the Board for the professional manner and cooperation in the way they handled this case.

Ron's Complete Auto Repair, 44052058, 2034 Elyria Ave.,
Lorain, OH 44052

Motion: Dave Weber motion to register

2nd: None

Comments: Mike Greene commented on his investigator's report about the shop and recommended the Board approve exemption.

Dave Weber was concerned whether or not the statements made by Ron to Inv. Greene were truthful. Mr. Weber commented that Ron's sign still indicates he does body work.

Dennis Sterwerf was also skeptical and felt there needed to be more investigation done. The Board requested Bob Anderson to follow up with a visit. Mr. Anderson agreed. Mr. Sterwerf recommended the Board table the issue until hearing back from Mr. Anderson. The vote was tabled until the next meeting.

Chris Bosworth Hobby, 2310 Boring Lane, East Liverpool, OH
43920

Motion: None

2nd: None

OHIO BOARD OF MOTOR VEHICLE
COLLISION REPAIR REGISTRATION
BOARD MEETING MINUTES

Comments: Mike Greene commented on his visit and investigator's report. Inv. Greene stated Mr. Bosworth was cooperative and credible and recommended the Board approve the exemption. Dave Weber said it appeared the vehicle in the photograph was fairly new and it did not appear to be a hobby type of job. Dean DeRolph said that if the jobs were for Beaver Creek Motors only then Mr. Bosworth would still be exempt. Dennis Sterwerf suggested tabling the issue until further investigation could be completed and Inv. Greene could make contact with Beaver Creek Motors.

Steve Sarver, 9889 Houston Rd., Sidney, OH 45365

Motion: Dave Weber motion to register

2nd: Ben Williams

Comments: Mike Greene commented on his visit and investigator's report. Inv. Greene stated Mr. Sarver was not present, but his children were. Without seeing the inside of the barn, Inv. Greene said there were no other indications of collision repair being done. He recommended the exemption being approved.

Motion passed to register Steve Sarver.

Collins Auto Repair, 45701019, 5770 Fisher Rd, Athens, OH
45701

Motion: Dennis Sterwerf motion to register

2nd: Dave Weber

Comments: Mike Greene commented on his visits to the Collins shop. Inv. Greene stated there was evidence that collision repairs were being made at the shop and explained some of the changes he observed in the items and vehicles present at the shop from each visit. Herman Carson, Attorney for Waylon Collins, spoke to the Board and passed around photographs he had taken on the day Inv. Greene was last at the shop. Mr. Carson stated all of the vehicles present were owned by Mr. Collins or someone from his family. Waylon Collins spoke briefly and answered some questions from the Board.

Inv. Greene stated some of the vehicles were registered to different subjects. Mr. Carson said the titles and plates were not transferred to Mr. Collins as of yet.

The motion to register Collins passed. Mr. Carson requested information on how to appeal the decision. Director Cassidy advised Mr. Carson he would get the information to Mr. Carson.

OHIO BOARD OF MOTOR VEHICLE
COLLISION REPAIR REGISTRATION
BOARD MEETING MINUTES

11:30 a.m. – Chairman DeRolph called for a brief recess in the meeting.

11:42 a.m. – Chairman DeRolph called the meeting to order.

5. OTHER BUSINESS:

- A. Investigator's Report – Presented by Mike Greene. Fielded questions from Chairman DeRolph and Mr. Weber. Mr. O'Hara made a suggestion to the Board that Mr. Greene attend training on the glass industry and regulations. Bob Anderson suggested Director Cassidy and Inv. Greene attend training on that and ICAR.
- B. Legislation Update – Presented by Director Cassidy. Questions fielded from Mr. Weber, Chairman DeRolph.
- C. Paintless Dent, Glass, and Mobile Airbag Repair – Director Cassidy reported the letters had been mailed July 15, 2005. Chairman DeRolph asked those present to advise of any companies they know of that does the Mobile Airbag Repair.
- D. Consolidation into Department of Commerce Update – Director Cassidy gave the Board an update and fielded questions.
- E. Used Car Dealers License – Mr. Weber led the discussion on possible collision repair shops working solely off of their used car dealership license without intent of selling any vehicles. Inv. Greene said he had seen rare occurrences of this. However, it was more common to see dealerships with both a collision repair registration and a dealer license. Mr. Jones said there was not much that could be done without changing legislation.
- F. Safety – Security Action Plan – Director Cassidy gave an overview of the new plan and recommendations from the Department of Homeland Security. Dennis Sterwerf made a motion to approve the plan. 2nd by Barb Lewis. Motion passed.
- G. New Policy – Motor Vehicle Inspection & Maintenance; Revised Policy – FMLA
Director Cassidy passed out copies of and explained the need for the new policy. Ralph Emus expressed his concern over the lack of tire rotations in the policy, and the fact of going 5000 miles between oil changes. Director Cassidy explained the policy mirrored the

OHIO BOARD OF MOTOR VEHICLE
COLLISION REPAIR REGISTRATION
BOARD MEETING MINUTES

current policy set forth for all other State owned vehicles. Dave Weber made a motion to approve the new policy. 2nd by Barb Lewis.

Director Cassidy explained the new revisions of the FMLA policy, which was already in place. No action was needed by the Board on the revision. It was for their information only.

- H. Newsletter – Director Cassidy showed the Board a draft copy of the newsletter he had developed. He explained the newsletter would be posted on the website and mailed out. The Director said he was open to ideas and suggestions. No further action was needed on this topic.

6. **PUBLIC COMMENT:** Paul Duncan brought up the Progressive Insurance Concierge Shops. Mr. Duncan stated Progressive was in violation of the Consumers Fair Rights Law by taking their customers out of the equation when dealing with the repair shops. He said the consumer never has contact with the body shop, and never sees an estimate or invoice through Progressive's plan. The discussion also evolved into the previous reports that the Concierge shops were disassembling vehicles to write estimates, prior to the vehicles going to a repair shop.

Chairman DeRolph referred to the investigator's report on Concierge shops dated June 14, 2005. Mike Greene spoke briefly on what he had seen and learned about the shops through his investigation.

Bob Anderson said the Attorney General's Office should be made aware that Progressive may be in violation of the law. Richard Jones made note of the information and said the Board need only determine if the Concierge shops should be registered. He said if the consumer and Progressive enter into an agreement, then the customer of the repair shop actually becomes Progressive and not the vehicle owner.

7. **EXECUTIVE SESSION:** Chairman DeRolph stated that an Executive Session was needed for personnel reasons. Motion by Dennis Sterwerf to break into Executive Session at 1:05 p.m. 2nd by Ralph Emus. Motion passed.

After a brief Executive Session, Dennis Sterwerf made a motion to break from the session at 1:25 p.m.. 2nd by Ralph Emus. Motion passed.

8. **ADJOURNMENT:**
Motion: Dave Weber
2nd: Rick Finney
Motion passed.
Time: 1:30 p.m.

OHIO BOARD OF MOTOR VEHICLE
COLLISION REPAIR REGISTRATION
BOARD MEETING MINUTES