BAR Bureau of Automotive Repair DRIVE SMART CALIFORNIA

# REPAIR REPORTER

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## BAR Releases Auto Body Inspection Pilot Program Report

In a special two-year study of the auto body repair industry, the Bureau of Automotive Repair (BAR) documented that nearly half the time, consumers who brought their car to BAR for inspection, were charged for parts or labor they didn't receive.

BAR inspected 1,315 vehicles that qualified as part of a pilot program, that was mandated by Senate Bill 1988 (Speier, Statutes of 2000). Of those, 551, or 42% had parts or labor listed on the invoice that were not actually supplied or performed. The average dollar amount of overbilling per vehicle was $811.93.

"We're disturbed by the pattern of problems we found in some shops," said BAR Chief Patrick Dorais. "That's why BAR, the Attorney General and a number of local District Attorneys have taken action." As of September 1, 2003, 47 administrative actions were filed by the Attorney General, and 46 referrals were made to local district attorneys for possible criminal or civil action, with more expected. "In some cases, the problems were isolated and we've worked with those auto body repair shops to make sure they know and follow the law," added Dorais. "A repair facility that is served with an Accusation has the right to an administrative hearing to contest the changes."

*BAR Program Representative Randy Fiddler documents an inspection performed on a consumer's vehicle during the Auto Body Repair Inspection Pilot Program.*

SB 1988 directed BAR to respond to consumer requests for inspections in order to identify auto body repair work that was not done "according to specifications in the final invoice." The program began on July 1, 2001 and ended on June 30, 2003. To qualify for the program, a vehicle must have had:

- Collision repairs within the last 120 days
- A complete invoice with repair costs that exceeded $2,500

Consumers also benefited from BAR's efforts to mediate complaints filed during the pilot program. BAR was successful in securing offers of more than $500,000 in direct refunds, rework of

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## BAR Creates New Industry Ombudsman Position

Bureau of Automotive Repair (BAR) Chief Patrick Dorais has named Rick Fong as the new BAR Industry Ombudsman.

Fong brings with him a unique background in auto repair as well as mediation services. Currently, he is manager of the Department of Consumer Affairs (DCA) Centralized Complaint Mediation Center, and from 1993 to 2000, he worked in the BAR's Field Operations and Enforcement Division. Prior to his employment with DCA, Mr. Fong worked in various positions within the automotive repair industry including technician, shop foreman, trainer and service manager.

*Rick Fong, BAR Industry Ombudsman*

BAR's Industry Ombudsman is a new position, created as an independent liaison between the Bureau and auto repair and Smog Check licensees. The Industry Ombudsman will handle ques-

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# Chief's Corner

During the eight years I've worked at the Bureau of Auto motive Repair (BAR), most recently as the newly appointed Chief, I've always been extremely proud of this organization. BAR is considered a national leader in consumer protection and air quality improvement, and we regard our enforcement of California's auto repair industry laws to be consistent and unbiased.

I'm also proud to be associated with the hard-working shop owners and technicians who represent this state's auto repair profession. The majority of shop owners and technicians are honest, hard-working professionals who know how to treat their customers right. They recognize that the fundamental reason for consumer laws and regulations is to protect the consumer and, at the same time, provide businesses with a barometer upon which to base their performance.

The purpose of BAR's enforcement efforts have always been twofold: one, to protect the consumer from unfair business practices and repairs; and two, to promote the integrity of the auto repair industry by ensuring that those who do not follow the rules are appropriately disciplined. We believe that consistent, fair enforcement will achieve the highest possible level of consumer confidence in the auto repair industry and reduce the costs associated with consumer complaints.

During BAR's 31-year history, we have always worked with the industry to keep shop owners informed of new regulations under the Automotive Repair Act. Our approach has been proactive and has promoted two-way communication. It has included personal visits, industry workshops, and "Write It Right" presentations that help technicians write up error-free estimates and work orders. We have opened our offices to address questions or concerns.

We have also worked cooperatively with the industry to make sure shop owners are in compliance with California's consumer protection laws. In fact, 98 percent of the time, BAR gives advice or warnings to a shop to help correct lesser violations of the law, or holds office conferences with shop management when a pattern of these violations occur. However, when serious wrongdoing occurs, or when a pattern of violations continues after our attempts at getting voluntary compliance, BAR takes action to protect the public by formally disciplining the licensees through revocation of suspension of the license(s) – a practice we have maintained throughout our history and under the direction of ***every*** BAR chief.

I continue to believe that through its enforcement policies, BAR can protect consumers and promote the integrity of the trade. We are not faced with a choice of one goal over the other. We are obliged to pursue both together. Our enforcement efforts can assist those shops that provide honest hard work to continue to provide exceptional service to their customers and can ensure that the industry is held in high regard.

I want to assure the nearly 34,000 automotive repair facilities in California that our goal is to make sure that everyone follows the law and treats consumers fairly. The vast majority of shop owners understand the need for oversight, and work hard with BAR to comply with regulations.

If you have any questions or concerns, let us know by contacting your local field office or the new Industry Ombudsman. We look forward to continuing our strong relationship and welcome your comments on the job we're doing.

# BAR Advisory Group Addresses Notice of Violation Alternatives

***Industry And Consumers Interested in Bringing Back Written Notifications***

Representatives from trade as sociations, consumer groups, shop owners, technicians, repair industry educators and BAR staff attended the BAR Advisory Group meeting on July 25, 2003. The main topic of discussion was how BAR should notify shops when there are violations associated with the Automotive Repair Act. Also of interest was the issue of public access to these types of records.

Since BAR's suspension of written NOVs (January 15, 2003), an action taken in response to the misuse of the information by unscrupulous law firms, BAR has given shops verbal advice or warnings to help correct lesser violations of the Automotive Repair Act.

The consensus at the meeting was that most in the industry want a return to a written form of minor warnings so repair shops can address problem areas before they become more serious.

The discussions included:

- The definition of a "minor" problem that would need a warning,
- How should the problem be documented,
- Whether disclaimers could be done to discourage frivolous lawsuits and other abuses of such written communications between BAR and the industry,
- Who would have access to the documented information, and

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# BAR Issues Report on Aftermarket Crash Parts

The Bureau of Automotive Repair (BAR) has issued its much awaited study on the certification of aftermarket crash parts. Senate Bill 1178, which was signed into law by Governor Gray Davis in September 2001, authorized BAR to conduct a study in order to determine the best process for certifying crash parts and recommend which agency should oversee crash part certification.

### *Background*

In many cases, body shops have a choice when it comes to the new replacement parts used to repair crashed vehicles. The replacement parts can come from either the original manufacturer or from other manufacturers, in what's commonly called the aftermarket. A number of auto manufacturers and repair shops argued that the aftermarket parts were inferior and could pose a safety risk. Aftermarket manufacturers and insurance companies countered that these parts can be equal in quality and far less expensive.

In 1987, the insurance industry formed the Certified Automotive Parts Association (CAPA). The group was set up to determine the quality of aftermarket crash parts. In 2000, Global Validators, an automotive quality consultant, started a new certification process called the Manufacturers' Qualification & Validation Program (MQVP).

### *BAR Methodology*

In putting together the study, BAR met with interested parties to allow them an opportunity to present their ideas. The BAR study included a review of current legal requirements and meetings with representatives from the vehicle manufacturers, insurance companies and the Certified Automotive Parts Association. BAR also conducted a survey of registered auto body shops and conducted an "in-house" vehicle test of both Original Equipment Manufacturer (OEM) crash parts along with non-OEM aftermarket crash parts.

### *The Question of Quality*

According to auto body shops, the biggest problem with aftermarket crash parts is that they do not fit well. Shops say this is a concern with both OEM parts and non-OEM parts, but not to the same extent. According to the survey, shops indicated that non-OEM parts did not fit properly 56% of the time in contrast to 12% for OEM parts.

BAR's in-house vehicle tests came up with the same conclusion. BAR purchased both OEM replacement and non-OEM aftermarket crash parts and installed them on five different vehicles. The vehicles had original OEM parts removed and were not involved in a previous collision or repair. Four of the non-OEM aftermarket crash parts were CAPA certified and one was not certified. On one of the vehicles, the OEM replacement crash part was not available. Four out of the five non-OEM aftermarket crash parts were inferior to the OEM parts installed on the vehicles. When parts didn't fit, it required additional labor to modify them before they could be installed. The cost of the part, plus the additional cost of the labor to modify it, would make it more expensive than an OEM part. Three out of four available OEM parts fit correctly and did not need any modifications.

BAR's experience confirmed the survey results that noted that additional labor is required to modify non-OEM parts to fit the vehicle. Auto body shops indicated that 79% of the time, the insurance company does not compensate them for the time it takes to make parts fit.

***California has very specific disclosure laws. Customers must be informed about the specific parts being used on their vehicles.***

### *The Case for Certification*

Certifying programs were created to show that insurance companies were doing all they could to ensure that aftermarket parts are the same quality, safety, fit and performance as OEM parts. The insurance companies who want to use aftermarket crash parts in estimating the repair of a vehicle only want to use "certified" aftermarket parts. Although it does not necessarily reduce policy premiums, they say their competitive presence helps reduce insurance costs by keeping the price of OEM parts down.

### *Part Warranties*

BAR's study compared such aftermarket crash part certifications to the well-known Good Housekeeping Seal of Approval. But, unlike Good Housekeeping, the certification companies do not provide warranties for their parts, nor do they assume any responsibility for the manufacturing or quality assurance process.

### *Study Findings Summary*

The study findings confirm some of the concerns expressed by the auto repair industry about the quality and difficulty in fitting non-OEM parts. However, BAR found that certification does not protect consumers from poor quality parts and that elimination of non-

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# Taking The Chill Off Air Conditioning Regulations

*Jim Allen, BAR Legislative & Regulatory Analyst*

In response to concerns from the automotive industry in January 2001, BAR adopted regulations that established specific equipment requirements and industry standards for auto air conditioning service and repair. Throughout the rulemaking process, BAR conducted workshops with air conditioning professionals in an effort to draft up-to-date and workable regulations. Before the adoption of these regulations, air conditioning service and repair practices were not uniformly applied throughout California, making it difficult for the industry to insure fair competition and standardized diagnosis and repair of automotive air conditioning systems. The lack of standards and equipment requirements also make it difficult for BAR to fulfill its role as a consumer protection leader in the automotive service and repair market place.

Since the adoption and implementation of the automotive air conditioning regulations, BAR identified corrections and additions that would improve these regulations. These changes are outlined below.

In the 2001 adoption of Section 3351.6, S.A.E standard J2210 (Rev. Feb. 1999) was inadvertently omitted from subsection (c), which lists and incorporates the standards that must be met by refrigerant recovery equipment used by Automotive Repair Dealers to perform automotive air conditioning services. This oversight has now been corrected by amending Section 3351.6, to include S.A.E. standard J2210. BAR also amended subsection (e) of Section 3351.6 by deleting the reference to a performance requirement for the vacuum pump and specifying only that a functioning vacuum pump that is designed for the evacuation of mobile air conditioning systems is required.

It was also brought to BAR's attention by industry that Section 3366 could be interpreted to require the performance of all the listed tests and procedures, even when unit repairs do not require breaching the sealed refrigerant portions of the air conditioning system. This is not the case. Section 3351.6 only requires repair shops to have specified equipment if they perform services and repairs that involve breaching the sealed systems. In order to eliminate the potential confusion and conflict, the provisions of Section 3366 have been amended. It's now clear that individual unit repairs may be made without performing all of the tests and procedures enumerated, as long as the repair does not result in a breach of the sealed portions of the air conditioning system.

The actual text of the amended regulations, which took effect on July 12, 2003 is included below. If you have any questions about these regulations, please contact your local BAR field office.

### *§3351.6. Equipment Requirements for Automotive Air Conditioning Repair Dealers*

All Automotive Repair Dealers engaged in the service or repair of automotive air conditioning systems in vehicles covered by the Act shall be subject to the following minimum requirements. An automotive repair dealer that is performing service or repair to a motor vehicle's air conditioning system, which involves evacuation or full or partial recharge of the air conditioning system, shall have all repair, measuring, testing and refrigerant recovery equipment and current reference manuals necessary to service or repair the system, including but not limited to:

(a) Refrigerant identification equipment that meets or exceeds current Society of Automotive Engineers (S.A.E.) standard J1771 (Rev. Nov. 1998) which is hereby incorporated by reference.

(b) Refrigerant leak detection equipment that meets or exceeds current Society of Automotive Engineers (S.A.E.) standard J1627 (Rev. Aug. 1995) which is hereby incorporated by reference.

(c) Refrigerant recovery equipment that meets or exceeds current Society of Automotive Engineers (S.A.E.) standards J1732 (Rev. Nov. 1998), J1770 (Issued Oct. 1995), J1990 (Rev. Feb. 1999), J2209 (Rev. Feb. 1999) and J2210 (Rev. Feb. 1999) which are hereby incorporated by reference.

(d) Low and high pressure gauges for the purpose of measuring pressure in a mobile air conditioning system. As a minimum, the low pressure gauge shall be capable of measuring from zero to thirty inches of vacuum Hg, and zero to 250 pounds of pressure per square inch (psi). As a minimum, the high pressure gauge shall be capable of measuring from zero to 500 pounds of pressure per square inch (psi).

(e) A functioning vacuum pump that is designed for the evacuation of mobile air conditioning systems.

(f) A thermometer capable of testing air conditioning system efficiency. As a minimum, the thermometer shall be capable of measuring air temperatures from 20 to 100 degrees Fahrenheit.

### *§3366. Automotive Air Conditioning*

(a) Except as provided in subsection (b) of this section, any automotive repair dealer that advertises or performs, directly or through a sublet contractor, automotive air conditioning work, and uses the words service, inspection, diagnosis, top off, performance check or any expression or term of like meaning in any form of advertising or on a written estimate or invoice shall include and perform all of the fol-

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# BAR Industry Ombudsman

BAR is pleased to announce the appointment of an Industry Ombudsman.

The Industry Ombudsman will operate independently of BAR staff as an unbiased facilitator to resolve disagreements between a shop and BAR.

The Industry Ombudsman will ensure that your concern gets a complete and speedy review. If you have a specific concern, contact Rick Fong, Industry Ombudsman. You can reach him with questions and comments:

BAR_Ombudsman@dca.ca.gov

(916)255-2893

BAR™
Bureau of Automotive Repair
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**Help us to do an even better job.**

*Working together, we can provide exceptional customer service.*

**www.autorepair.ca.gov**

## BAR Creates New Ombudsman Position

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tions and issues that shops may have regarding BAR.

The Industry Ombudsman will operate independently of BAR staff, as an unbiased negotiator if a conflict between a shop and BAR staff occurs, and ensure the concern receives a complete and speedy review. The Industry Ombudsman can look into a concern, and make recommendations to the BAR Chief, but has no authority over a disciplinary proceeding.

"The Industry Ombudsman will be someone the industry can turn to with unresolved issues regarding BAR," said Dorais. "Mr. Fong will work to resolve issues in a fair and equitable manner."

According to Dorais, the Industry Ombudsman will:

- Act as a liaison between licensees, auto repair shop owners, and BAR;
- Review consistency in BAR's regulatory efforts;
- Provide another communications link between industry and BAR;
- Be impartial and independent;
- Serve as an objective and independent problem solver; and
- Use mediation as a primary method for resolving industry complaints

In his new position as BAR Industry Ombudsman, Rick Fong can be reached with questions and comments: (916)255-2893 or BAR_Ombudsman@dca.ca.gov.

# San Francisco Bay Area Fully Enhanced

The implementation of the Enhanced Smog Check Program in the nine-county San Francisco Bay Area Basin is now complete. The Bureau of Automotive Repair (BAR) began implementing the program on July 1, 2003, at which time stations were required to have the BAR-97 Emissions Inspection System (EIS) in place. Stations began inspecting vehicles using the Acceleration Simulation Mode (ASM) loaded-mode (dynamometer-based) testing on October 1, 2003.

The response from stations and technicians was overwhelming. More than 80% of the stations opted into program by upgrading their equipment. More than 1800 technicians earned their Advanced Emissions Specialist (EA) License in order to perform Smog Check inspections, diagnosis, or repairs in the newly Enhanced Area.

"We are very pleased with the cooperation and support we received from stations and technicians in the Bay Area," says BAR Chief Patrick Dorais. "They helped make this the smoothest implementation of any Enhanced Area in the state."

State law (AB 2637, Cardoza) also required BAR to phase-in the implementation of specified elements of the Enhanced Program, such as in establishing exhaust cut-points for NOx emissions and the number of vehicles directed to Test-Only stations for inspection. They will gradually be increased until they are the same as those that have already been implemented in other Enhanced Areas of the state.

This action will affect nearly 5 million vehicles and provide a more cohesive program in the Bay Area that should significantly reduce smog pollution in the state.

**San Francisco Bay Area Enhanced I/M Program**

## BAR Releases Auto Body Inspection Pilot Program Report

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the vehicle, or adjustments to the bill.

As a direct result of the pilot program, BAR recommended to the State Senate Insurance Committee some significant changes, including:

- Exploring specific methods and strategies to reduce unfair and illegal practices in the auto collision repair industry.
- Developing protocols that better define the roles of, and relationship between, the auto insurance and auto body repair industries.
- Consider requiring that those who have the mechanical background and equipment to properly evaluate the true condition of the vehicle do the formal estimating of collision damage. In other words, let trained personnel with the proper expertise and equipment make the damage estimates in collision repair.
- Insurance adjusters should change the name of the simple visual inspection they do to a "visual damage assessment." This would let consumers know that the inspection may not be a comprehensive, complete and itemized estimate of all repairs needed to return the vehicle to its pre-accident condition.

BAR's Auto Body Repair Report is available online from either the Department of Consumer Affairs Web site at www.dca.ca.gov, or BAR's Web site at www.autorepair.ca.gov

## BAR Advisory Group Addresses Notice of Violation Alternatives

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- How to make the information available in an understandable format.

"Everyone wants a written process that alerts shop owners of potential violations, so they can deal with the problems and prevent the possibility of the issues leading to something more serious," said BAR Chief Patrick Dorais. "There were so many good, innovative ideas expressed by everyone that we have extended the discussion into our next meeting."

Recommendations from the four-hour discussion, along with ideas submitted to BAR in written form, will be compiled in time for the next Advisory Group meeting on October 20, 2003.

"Through a shared process, we will work together to come up with a method of notification that will address the concerns of industry and consumers," said Dorais.

### UPCOMING BAR ADVISORY GROUP MEETINGS

October 20, 2003

January 12, 2004

April 12, 2004

July 12, 2004

*Please check BAR's Web site to find meeting agendas, including the specific meeting locations and times.*

*The information will also be sent to those on BAR's "Interested Parties" mailing list.*

### BAR Advisory Group Participants

- Louis Anapolsky
  *California Midas Dealers Association*
- Tim Carmichael
  *Coalition for Clean Air*
- Jim Custeau
  *Service Technicians Society and Cuyamaca College*
- Dennis DeCota
  *California Service Station and Automotive Repair Association*
- Gil DeLuna
  *California Consumer Affairs Association*
- Paul Frech
  *Automotive Trade Organizations of California*
- Jim Gordon
  *Consumer Federation of California*
- George Hritz
  California Automotive Teachers and College of Marin
- Marty Keller
  *Automotive Repair Coalition*
- Jack Molodanof
  *California Autobody Association and California AAMCO Dealers Association*
- Rosemary Shahan
  *Consumers for Auto Reliability and Safety*
- Deidra Thorpe
  *Vision Management Consulting*
- Chris Walker
  *Automotive Repair Coalition*
- Randy Ward
  *California Emission Testing Industries Association*
- Peter Welch
  *California Motor Car Dealers Association*
- Jennifer Zins
  *Automotive Service Councils*

## BAR Issues Report on Aftermarket Crash Parts

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certified aftermarket crash parts is not a viable option and could create a market that is less competitive. In the market place, it is often competition that results in better prices and higher quality. The BAR study confirmed that non-OEM parts require additional repair time to modify them to fit the vehicle. BAR did not verify the statements from shops that indicate that the insurer often does not compensate this additional labor time. Repair shops do have a recourse pursuant to the "Fair Claims Settlement Practices Regulation," which provides that insurers specifying the use of non-OEM aftermarket crash parts shall pay the cost of any modifications of the parts which may become necessary to effect the repair.

### *Summary of Study Recommendations:*

- There is no need for any state agency to oversee the certification of non-OEM crash parts.
- Allow the market to drive the acceptability of aftermarket crash parts, similar to the way mechanical aftermaket parts have evolved. The market should drive acceptability of the certification.
- Aftermarket crash part certifiers should establish warranties for the parts they certify, and stand behind those warranties when an auto body repair shop demonstrates that the parts are defective or don't fit correctly.
- Further assessment of pricing practices is needed. BAR is concerned about the arrangements between non-OEM aftermarket parts certifiers and the insurance industry.

### *What Does the Law Say?*

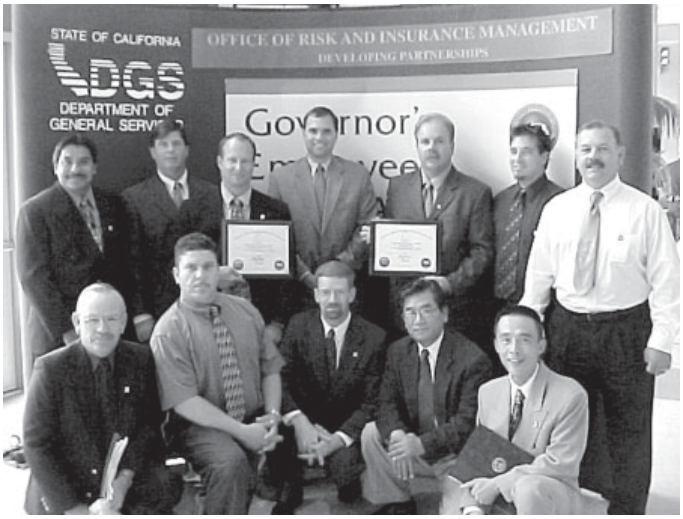
It is not the responsibility of the state or federal government to "oversee the certification of crash parts." Doing so by any governmental entity would imply that the government is endorsing and/or warranting products manufactured by a private business and certified by another entity. It could also make the government liable when there are problems.

There are already repair laws and regulations in place that help protect consumers.

- Business and Professions Code Section 9884.9 and California Code of Regulations Section 3353 both require that an Automotive Repair Dealer give the customer a written estimated price for labor and parts necessary for a specific job.
- Each crash part is required to be identified on the written estimate and shall indicate whether it is an OEM crash part or an aftermarket crash part. No work shall be done and no charges shall accrue before the customer gives authorization.
- Business and Professions Code Section 9884.8 and California Code of Regulations Section 3356 both require that all work done by an Automotive Repair Dealer, including all warranty work, shall be recorded on an invoice and shall describe all service work done and parts supplied. The invoice shall include a statement indicating whether crash parts are OEM or aftermarket.

You can view the report on the BAR Web site at: www.autorepair.ca.gov

## BAR Units Receive Governor's Employee Safety Awards




Members of BAR's Engineering and Roadside Units pose with Bureau Chief Patrick Dorais after being recognized with a Governor's Employee Safety Award. The awards are given each year to State employees for their commitment to maintain a healthy and safe environment for employees as well as the public in the workplace.

*(Front Row: Howard Pittman, Rilo Rodriguez, Paul Hedglin, Paul Moone, Brian Vu; Back Row: Joe Lopez, Wayne Freese, Joe Pedrosa, Patrick Dorais, Rich Erceg, John Opjorden, Javier Chavez)*

—Photo by Ted Lenzie

# BAR Reaches Out to Consumers

BAR's educational outreach program involves many formats. The purpose is simple: get the message to consumers, and our 34,000 licensees that a well maintained vehicle runs better, saves gas and helps keep California's air clean.

For the second year, BAR staffers met with consumers during the three-week run of the California State Fair in Sacramento. "We had such a tremendous response from consumers who visited our booth last year, we felt it was important to be there again this year," said BAR Chief Patrick Dorais.

"We want consumers to understand that a well-maintained vehicle can make a difference in the quality of our air. We also want them to be aware of all the services BAR provides. We want people to know we're not just a regulatory agency. We're here to protect consumers and provide information that will help them make better decisions about their vehicles and the auto repair industry. Whether it's helping them select a quality repair shop, verify a repair dealer's license, or check out a vehicle's smog check history, we're here to help."

Dorais added that BAR's Web site (www.autorepair.ca.gov) is an important tool for consumers looking for information about the automotive repair marketplace. While more and more consumers are taking advantage of BAR's Web site to get information, many consumers do not have access to or are not computer savvy and prefer to talk to a representative. BAR's toll free number (1-800-952-5210) is also available for consumers who need specific responses from hotline experts.

To maintain a physical presence in the community throughout the year, BAR participates at a variety of other community events, including Earth Day celebrations, Senior Health Fairs, Community Heritage celebrations, symposiums, County Fairs and Consumer Education events.

*BAR Air Quality Engineer Chuck Upton meets with consumers at the California State Fair in Sacramento*

## Taking The Chill Off Automotive Air Conditioning Regulations

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lowing procedures as part of that air conditioning work:

(1) Exposed hoses, tubing and connections are examined for damage or leaks;

(2) The compressor and clutch, when accessible, are examined for damage, missing bolts, missing hardware, broken housing and leaks;

(3) The compressor is rotated to determine if it is seized or locked up;

(4) Service ports are examined for missing caps, damaged threads and conformance with labeling;

(5) The condenser coil is examined for damage, restrictions or leaks;

(6) The expansion device, if accessible, is examined for physical damage or leaks;

(7) The accumulator receiver dryer and in-line filter have been checked for damage, missing or loose hardware or leaks;

(8) The drive belt system has been checked for damaged or missing pulleys or tensioners and for proper belt routing, tension, alignment, excessive wear or cracking;

(9) The fan clutch has been examined for leakage, bearing wear and proper operation;

(10) The cooling fan has been checked for bent or missing blades;

(11) Accessible electrical connections have been examined for loose, burnt, broken or corroded parts;

(12) The refrigerant in use has been identified and checked for contamination;

(13) The system has been checked for leakage at a minimum of 50-PSI system pressure;

(14) The compressor clutch, blower motor and air control doors have been checked for proper operation;

(15) High and low side system operating pressures, as applicable, have been measured and recorded on the final invoice; and,

(16) The center air distribution outlet temperature has been measured and recorded on the final invoice.

(b) Whenever the automotive air conditioning work being advertised or performed does not involve opening the refrigerant portion of the air conditioning system, refrigerant evacuation, or full or partial refrigerant recharge, the procedures specified in subsection (a) need be performed only to the extent required by accepted trade standards.

# DISCIPLINARY ACTIONS

## NORTHERN CALIFORNIA

**Brake Masters of Sacramento, Inc., dba Brake Masters, Manteca, Orangevale, Rancho Cordova, Roseville, 5810 Auburn Blvd, 3261 Northgate Blvd., 6955 Stockton Blvd, Sacramento, San Francisco, Tracy**

Shalom Laytin, President

**Order:** ARD Registrations are revoked, stayed, suspended fifteen (15) days, and placed on probation for three years subject to the following terms and conditions: Must comply with all laws and regulations. Report to BAR on a prescribed schedule. Report any financial interest in any other repair facility and pay restitution to Scott Johnson in the amount of $194.04. Also pay Octavio Romero in the amount of $3,194.24, and Eleanor Rollins in the amount of $1,467.79. (11/19/02)

**Champion Auto, San Francisco**

Jason Wong, Owner

**Order:** ARD Registration revoked. (11/21/02)

**Home Automotive, Ridgecrest**

Paul E. Chadwick, Owner

**Order:** ARD Registration revoked. (1/13/03)

**Little Bitty Auto Body, Riverbank**

Joseph Scott Harrison, Owner

**Order:** ARD Registration revoked. (1/13/03)

**Lopez Enterprise, Inc., dba Dura Built Cottman Transmission, Lodi**

Raul V. Lopez, President

**Order:** ARD Registration permanently invalidated. (1/13/03)

**Mechanic On Wheels, Grass Valley**

Daryl Edward Nugent, Owner

**Order:** ARD Registration permanently invalidated. (11/21/02)

**Rayhill Brake & Wheel Shop, Visalia**

Abel Garza, Owner

**Order:** ARD Registration revoked, stayed, and placed on probation for three years. Brake Station License, Lamp Station License, Brake Adjuster License, and Lamp Adjuster License issued to Abel Garza and Brake Adjuster License issued to Ernest Baiza Leyba are revoked, stayed, suspended for ten (10) days, and placed on probation for three years subject to the following terms and conditions. Comply with all laws and regulations, report to BAR on a prescribed schedule, report any financial interest in any other repair facility, and reimburse BAR for the costs of investigating and prosecuting the case in the amount of $2,000. (2/3/03)

**SDB INC., dba, Honda North, Clovis**

Theodore Stevens, President

**Order:** ARD Registration and Smog Check Station License are revoked, stayed, suspended for five (5) days, and placed on probation for four years. Subject to the following terms and conditions. Comply with all laws and regulations. Report to BAR on prescribed schedule. Report any financial interest in any other repair facility and reimburse BAR for the costs of investigating and prosecuting the case in the amount of $22,500. (11/4/02)

**SSF Automotive Center, South San Francisco**

Vinesh P. Lochan, Owner

**Order:** ARD Registration permanently invalidated. (1/13/03)

**San Joaquin Mobil, Stallion Springs**

Douglas Timothy Shinn, Owner

**Order:** ARD Registration revoked. (1/13/03)

**Zayaf Enterprises, Inc, dba Midas Shop, 3464 Foothill Blvd & 640 Hegenberger Road, Oakland**

Anwar Virani, President

**Order:** ARD Registrations revoked, stayed, suspended for fifteen (15) days, and placed on probation for three years subject to the following terms and conditions. Comply with all laws and regulations. Report to BAR on prescribed schedule. Report any financial interest in any other repair facility. Reimburse BAR for the costs of investigating and prosecuting the case in the amount of $10,000. (1/22/03)

## SOUTHERN CALIFORNIA

**A1 Elegance Motors, Costa Mesa**

Fiore Cioara, Owner

**Order:** ARD Registration revoked. (1/8/03)

**A A Budget Transmissions, El Cajon and Santee**

Brian Michael Fuller, Owner

**Order:** ARD Registration revoked. Respondent's application for a corporate ARD is denied. Respondent shall reimburse BAR for the costs of investigating and prosecuting the case in the amount of $16,014.50. (11/21/02)

**Advanced Transmission Technology, Inc., dba Advanced Transmission, San Diego**

Frank R. Gebase, Jr., President

**Order:** ARD Registration revoked. (11/22/02)

**Affordable Transmission & Clutch, (formerly Affordable Transmission/ Auto Service), San Diego**

Luis Enrique Flor, Owner

**Order:** ARD Registration revoked, stayed, suspended for twenty-one days and placed on probation for three years subject to the following terms and conditions. Comply with all laws and regulations, report to BAR on prescribed schedule. Report any financial interest in any other repair facility. Reimburse BAR for the costs of investigating and prosecuting the case in the amount of $5,000. (1/15/03)

*Continued on next page*

## DISCIPLINARY ACTIONS *(continued from preceding page)*

**Arts Collision Repair, Inc., dba Arts Collision Center, Inc., Los Angeles**
Arthur Armstrong, Jr., President
**Order:** ARD Registration revoked. (1/13/03)

**Best Transmission Muffler & Smog, Victorville**
Maria Benitez, Owner
**Order:** ARD registration revoked. (11/21/02)

**Central Transmission, Victorville**
Erika V. Martinez, Owner
**Order:** ARD Registration revoked (1/13/03)

**European Engineering, Inc., Santa Monica**
John Kapodistrias, President
**Order:** ARD Registration revoked, stayed, suspended fifteen days, and placed on probation for five years subject to the following terms and conditions. Comply with all laws and regulations. Report to BAR on prescribed schedule. Report any financial interest in any other repair facility. Reimburse BAR for the costs of investigating and prosecuting the case in the amount of $18,445.66. In addition, the Respondent shall pay restitution to Automobile Club of Southern California in the amount of $1,619.42. (11/16/02)

**Excellence Auto Repair, San Diego**
Mohd Mahmoud Othman, Owner
**Order:** ARD Registration revoked. (1/13/03)

**Gap Associates, Inc., dba Kars Body & Paint, Canyon Country**
Garri Akopnik, President
**Order:** ARD Registration invalidated. (11/21/02)

**Greg's Exclusive Auto Body, Los Angeles**
Grigory & Inna Berson, Partners
**Order:** ARD Registration surrendered and accepted by the Director of Consumer Affairs. (11/21/02)

**Inland Empire Transmision, San Bernardino**
Jesus Antonio Ramirez, Owner
**Order:** ARD Registration revoked. (1/13/03)

**King Auto Body & Paint, Inc., Northridge**
Rudaina Khazen, President and Owner
**Order:** ARD Registrations revoked. (1/13/03)

**L&M Tire Company, Inc., dba Express Tire, Temecula**
John R. Marchioni, President
**Order:** ARD Registration revoked, stayed, suspended four days, and placed on probation for two years subject to the following terms and conditions. Comply with all laws and regulations. Report to BAR on prescribed schedule. Report any financial interest in any other repair facility, and reimburse BAR for the costs of investigating and prosecuting the case in the amount of $15,000. (11/25/02)

**Nue Autoland Body Shop, Gardena**
Michael Eugene Williams, Owner
**Order:** ARD Registration revoked. (1/30/03)

**Sam's Pacific Auto Repair, Glendale & Zee Dee Inc., dba Sam's Pacific Auto, Los Angeles**
Sarkis Daghlian, Owner & President
**Order**: ARD Registrations are revoked, stayed, suspended 10 days, and placed on probation for three years subject to the following terms and conditions: Comply with all laws and regulations. Report to BAR on prescribed schedule. Report any financial interest in any other repair facility. Reimburse BAR for the costs of investigating and prosecuting the case in the amount of $10,000. (1/16/03)

**Super Transmission, Chula Vista**
Luis A. Casillas and Jose L. Casillas, Partners
**Order**: ARD Registration revoked. (1/30/03)

**Tune Tronics, Gardena**
Edward Sun Kim aka Sun Jang Kim, Owner
**Order:** Official Brake Station License, Official Lamp Station License, Brake Adjuster License and Lamp Adjuster License issued to Edward Sun Kim aka Sun Gang Kim are revoked. ARD Registration revoked, stayed, and placed on probation for three years subject to the following terms and conditions. Comply with all laws and regulations. Report to BAR on prescribed schedule. Report any financial interest in any other repair facility. Reimburse BAR for the costs of investigating and prosecuting the case in the amount of $10,000. (1/16/03)

**United Auto Service and Repair Center, San Gabriel**
Wenson Quach, Owner
**Order:** ARD Registration revoked, stayed, suspended twenty-one days, and placed on probation for three years subject to the following terms and conditions. Comply with all laws and regulations. Report to BAR on prescribed schedule. Report any financial interest in any other repair facility. Reimburse BAR for the costs of investigating and prosecuting the case in the amount of $26,000. In addition, the Respondent shall pay restitution to Chin Chou in the amount of $500. and to Precision Risk Management in the amount of $500. (11/21/02)

**USA Auto Repair, Anaheim**
Duc Si Dong, aka Douglas SI Dong, Owner
**Order**: ARD Registration permanently invalidated. Respondent shall reimburse BAR for the costs of investigating and prosecuting the case in the amount of $27,547.98. (1/30/03)

**Awadis T. Tatazian, Los Angeles**
**Order:** Lamp Adjuster License and Brake Adjuster License issued to Awadis T.Tatazian are revoked. (11/12/02)

BUREAU OF AUTOMOTIVE REPAIR
10240 Systems Parkway • Sacramento, CA 95827

# REPAIR REPORTER

SUMMER/FALL 2003

Official Publication of the California Department of Consumer Affairs/Bureau of Automotive Repair

Presorted Standard
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Oakland, CA
Permit No. 2101

## BAR FIELD OFFICE PHONE NUMBERS

| | |
|---|---|
| Bakersfield | (661) 833-6304 |
| Canoga Park | (818) 596-4400 |
| Culver City | (310) 410-0024 |
| Fresno | (559) 445-5015 |
| Oceanside | (760) 439-0942 |
| Placentia | (714) 961-7940 |
| Richmond | (510) 243-9410 |
| Riverside | (909) 782-4250 |
| Sacramento | (916) 255-4200 |
| San Jose | (408) 277-1860 |
| South El Monte | (626) 575-6934 |

## OTHER HELPFUL NUMBERS

| | |
|---|---|
| DCA Consumer Information Center | (800) 952-5210 |
| BAR Licensing | (916) 255-3145 |
| ET Help Desk | (866) 860-8509 |
| MCI | (800) 731-SMOG |
| (Then press 5 for technical support) | |
| Referee Scheduling Center | (800) 622-7733 |
| Parts Locator | (800) 826-3566 |

# Little Scoops

The Automotive Repair Act requires auto repair shops to follow sound business practices in dealing with customers. These practices can be summed up in four rules:

- Keep the customer informed
- Do only work that has been authorized by the customer
- Keep a written record of all work
- Give copies of work orders and final invoices to the customer

Make sure you're writing up estimates, work orders and invoices correctly by checking out BAR's "***Write it Right – A Guide for the Auto Repair Dealer.***" It's available for free online at *www.autorepair.ca.gov* or by calling BAR at 1-800-952-5210.

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