

THE CALIFORNIA

Independent FALL/WINTER 2016

A Publication of the Automotive Service Councils of California



GOODBYE 2016!

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ASCCA EVENTS
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CALENDAR *of* EVENTS

February 25-26, 2017

ASCCA February Team Weekend

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May 20-21, 2017

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ASCCA September

Team Weekend

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Location TBD



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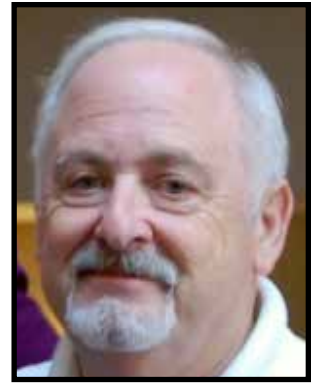


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> OUTGOING PRESIDENT'S MESSAGE

ASCCA Members,

Dennis Montalbano
ASCCA President 2016



Dedicated people
are alive and well in
our association.

My term as ASCCA President is nearing the end. If you ever want to see a year “fly by”, become the ASCCA president. I would like to thank Gloria and her staff at AMG, my executive officers and my board of directors. As I traveled through our diverse state, I saw a common thread. Dedicated people are alive and well in our association. Our chapters are doing well and doing the work for their members and our industry. We have witnessed many challenges to our laws and the way

we do business is never the same as last year. I can tell you that my testimony at the State of California joint committee on Telematics was an eye opener for our elected officials. I attended the ETI conference in Monterey in April. The topic of Telematics was enlightening and quite different from what was stated in Sacramento. Our association should stay on this delicate subject and make sure we are a player in the future of our industry. Our members are up-to-date and engaged in the business of our business. I am looking forward to passing the baton to our next president. Dave Kusa is all charged up and ready to go. He is more than qualified to carry our tradition forward. Be safe and enjoy your family time. Happy Holidays, Merry Christmas and Happy New Year. Now if you excuse me, I have been summoned to Trump Towers.

GET INVOLVED

Participate in your local chapters

Communicate with the ASCCA via Team Talk

› NEW CALIFORNIA LAWS FOR 2017

Every year, hundreds of new laws are enacted that impact automotive repair shops in the state. Below is a short summary/highlights of some key measures that will take effect in 2017, unless otherwise noted.

Minimum Wage Increase. Effective January 1, 2017, the minimum wage for employers with 26 or more employees will increase to \$10.50 per hour. The minimum wage for employers with 25 or fewer employees will increase to \$10.50 next year on January 2018. (SB 3)

Lead Acid Battery Fee. Beginning April 1, 2017, a \$1.00 California battery fee is imposed on a person who purchases a replacement lead-acid battery from a retail dealer (includes auto repair dealer). The dealer will be required to separately state (line item) the California Battery Fee on all invoices and collect the \$1.00 fee. The Battery fee will be submitted to the Board of Equalization on a quarterly basis, similar to the current California tire fee. The dealer will also be required to accept used lead acid batteries without charging a fee. The retail dealer of batteries is also required to provide written notice regarding the California Battery Fee and refundable deposits; however, the notice requirements do not apply to an auto repair shop that does not sell lead-acid batteries directly to consumers (over the counter) but instead removes nonfunctional/damaged batteries as part of an auto repair dealer service. (AB 2153)

Tow Truck Requirements. This new law makes several changes to provide relief to last year's bandit tow truck law (AB 1222). Current law requires a business taking possession of a vehicle from a tow truck to document the name, address and telephone number of the towing company, the name and driver's license number of the tow truck operator, the make, model and license plate or vehicle ID number and the date and time that possession was taken of the vehicle. This new law allows

the business to accept the operator driver's license number or driver's identification number issued by a motor club or other government authorized unique identifier of the tow operator. If the business is taking possession of the vehicle from tow truck when business is closed, the business must document reasonable efforts made to obtain the required information. (AB 2167)

Automotive Windshield Replacement. This new law requires that automotive repair dealers (includes sublets) to use windshields that meet or exceed Federal Motor Vehicle Safety Standards and vehicle manufacture specifications when replacing windshields and to use adhesives that meets or exceeds manufacturer specifications. Auto repair dealers shall provide an estimate notifying the customer that the installation of the windshield will prevent the operation of the vehicle for a period of time (due to cure time) and whether the windshield is an OEM or non-OEM manufacturer part. The invoice shall notify the customer of the cure time, the date and the time upon which the installation was completed and whether the windshield is an OEM or non-OEM manufacturer part. (16CCR 3365.1)

Workers' Compensation Exclusion. This new law requires that an officer or member of the board of directors to own at least 15% of the stock of the corporation in order to opt out of workers' compensation coverage. The officer or members of the directors must sign a waiver stating that the individual is a qualifying officer or member. The general partner of a partnership or managing member of an LLC must execute a waiver to opt out of workers comp coverage. (AB 2883).

Prop 65 Signage. Current law, Proposition 65 protects consumers from toxic substances that may cause cancer and birth defects by requiring warnings in advance of exposures to dangerous chemicals. The Office of Environmental Health

Hazard Assessment (OEHHA) passed a new law, which provides specific language warnings for environmental exposures signage that maybe used by vehicle repair facilities. This law will take effect August 30, 2018. (27 CCR 25607.25).

Counterfeit and Nonfunctional Airbags. This new law increases penalties for any person who knowingly manufactures, imports, installs, reinstalls, distributes, sells or offers to sell any device intended to replace a supplemental restraint system with a counterfeit supplemental restraint system component or a nonfunctional airbag, as defined. (AB 2387)

Brake Friction Material Packaging. Current law prohibits the sale of friction material (i.e. brake pads) that contains a certain amounts of copper, heavy metals and asbestos. The new law requires that all brake friction material and packaging sold or offered for sale to be clearly marked indicating that the friction material meets the requirements and is California compliant. (22 CCR 66387.7).

Draining of Used Oil Filters. Although not a new law, the Dept of Toxic Substances Control (DTSC) issued an advisory this year regarding draining of used oil filters. Improperly drained used oil filters must be managed as hazardous waste under California Hazardous Waste Control Law. See link to advisory. https://www.dtsc.ca.gov/HazardousWaste/Documents/upload/Advisory-used-oil-filters_Final-v9-14-16.pdf (22 CCR 66266.130)

ARTICLE
CONTINUED ON PAGE 9

LEGISLATIVE REPORT

Jack Molodanof, Esq.
ASCCA Legislative Advocate



LEGISLATION

The Governor finished taking action on over 1,000 bills that were pending on his desk. Below is an update on the key automotive bills we have been tracking very closely.

AB 1174 (Bonilla)

Originally opposed/Neutral. Vetoed.

This bill originally included language that would have required BAR to post on its

website all complaints against an automotive repair dealer (ARD), without any due process, very similar to “Yelp”. The bill also provided BAR citation and fine authority (up to \$5,000 per violation) for shops making simple paper work mistakes. As originally written, this bill would have been a disaster for the automotive repair industry. There was strong opposition/push back from the automotive industry, which included intense grass roots lobbying efforts. The industry also came together at the Capitol during legislative day to fight the bill. After intense lobbying, the Assembly member agreed to delete the objectionable sections from the bill and the industry removed its opposition. The bill now requires the BAR to adopt regulations re: BAR policies and procedures for handling complaints, investigations and methods of resolution and to track data and submit annual reports to the legislature. The Governor vetoed AB 1174.

SB 778 (Allen)

Originally opposed/Concerns. Vetoed.

This bill originally required an ARD to notify a customer who provides an oil change of the recommended oil drain interval, oil grade and viscosity specified in the maintenance schedule of vehicles owner’s manual. The bill also required that the ARD

use only the oil drain interval specified in the maintenance of the vehicle owner’s manual if the ARD was recommending the date or mileage for next oil change. Finally, the bill did not require unlicensed oil changes to be licensed/registered with BAR or to comply with the requirements of the bill. As originally written, the automotive industry opposed the bill. This bill was part of the Industry legislative lobbying day where Senator Allen spoke and listened to the industry. He agreed that he would modify his bill to address the industry opposition and would include unlicensed oil changers as part of BAR.

After intense lobbying and meetings with Senator Allen, the bill was amended to require currently unlicensed oil change businesses to register with the BAR as an “Automotive Maintenance Provider” (AMP), which is defined as business engaged in the preventative automotive maintenance services associated with fluid and filter changes, fluid treatments, and belts and windshield wiper sales. This new AMP category was a compromise but has become controversial and caused concerns because some in the industry believe that these maintenance providers should simply be registered as ARD’s and that no new category/definition be created.

MORE INFO:

www.ascca.com/government-affairs

The bill was also amended to require that when either an ARD/AMP recommends a date or mileage oil drain interval, they must follow the vehicle manufacturer published schedules. If a recommendation deviates from the vehicle manufacturer schedule, then the basis must be noted on the invoice. Nothing prohibits consumers from selecting oil drain interval of choice. Also, the following disclosure language must be included on the invoice or attachment “It is important to change your oil at proper intervals. Your vehicle manufacturer published oil change intervals in your owner’s manual and on the manufacturer web site”. The Governor vetoed the bill.

AB 873 (Jones)
Support. Signed.

This bill authorizes BAR to create regulations to provide oversight over “minor services” which are currently exempted from BAR regulations. The language in this bill was included in SB 778 and the bills were

“double joined” meaning the Governor will either sign both or veto both bills. The Governor signed the bill, however, since it was contingent upon SB 778 being enacted the bill will not take effect.

AB 2167 (Achadjian)
Support. Signed.

Current law requires business that accept vehicles from tow operators to obtain certain information including the tow driver license number. This bill is intended to provide relief by allowing businesses to accept a government authorized unique identifier or a motor club driver’s identification number instead of only a tow truck driver’s license. We are pleased to report that the Governor signed the bill.

AB 2153 (Garcia)
Concerns. Signed.

This bill establishes new fees on lead-acid batteries to fund lead contamination

cleanup. The bill requires retailers (including ARD’s) that sell batteries to collect \$1.00 per new battery sold and remit to the State Board of Equalization starting April 1, 2017. It requires that the battery fee be separately listed on invoice. Furthermore, it requires retailers to accept batteries from a customer for recycling and requires that a battery dealer to provide a written notice stating that the dealer is required by law to accept batteries and charge a fee on all replacement batteries. The automotive industry was able to get an exemption with respect to the posting of the written notice requirement if the ARD does not sell lead-acid batteries directly (such as over the counter) but instead removes nonfunctional/damaged batteries and installs new lead acid batteries as part of an automotive repair dealer service. The Governor signed the bill.

We will continue to keep ASCCA members updated on all legislative efforts. ■

Maximize Your Member Benefits!

IN NEED OF LEGAL ADVICE? ASCCA HAS YOU COVERED

Legal issues are something that every small business owner will face at one point or another, and the decision alone to seek legal advice can come with a hefty price tag. Fortunately, as an ASCCA member, you are entitled to 30 minutes of free legal advice every month from ASCCA’s lobbyist and legal counsel, Jack Molodanof, Esq.—and it doesn’t even have to be shop-related.

In addition to his work for ASCCA, Mr. Molodanof is also president of Molodanof Government Relations, a public affairs firm which specializes in community relations, advocacy, and lobbying, and is a practicing attorney representing trade associations with an emphasis on general business transactions and small business issues.

So next time you need legal advice, don’t try answering it yourself and risking getting into deeper legal issues. Call or email our expert, Jack Molodanof at (916) 447-0313 with your business or personal legal questions. This service can be used either by you or any of your employees.



ASCCA’s newest corporate sponsorship is with Shop-Ware Inc., an innovative company that delivers cutting-edge shop management software. The shop management software promotes business wellness and maximizes productivity by casting traditional best practices in paperless, cloud-based applications. Founder Carolyn Coquillet, an ASCCA member and owner of Luscious Garage in San Francisco, is assisted by Chip Keen, former owner of Hansville Repair and founder/developer of Garage Operator.

Check out their shop management software that meets cutting-edge web technology by visiting www.shop-ware.com. As a member benefit, all ASCCA members would receive their PRO plan at the SMS price for the first 6 months, saving you \$900! Don’t let this special offer pass you by.

[Click here to read more.](#)

ADVOCACY FUND *ASCCA's*

Every year, ASCCA works around the clock to prevent new laws and regulations that could negatively impact our members and their businesses. Our government affairs team studies every piece of legislation, takes a position, and ensures our message is taken directly to the Legislature. This method has proven to be successful as ASCCA has played an instrumental part in defeating harmful legislation.

For example, this year ASCCA was successful in blocking Assembly Bill 1174, which would have required the Bureau of Automotive Repair (BAR) to post on its website all complaints against an automotive repair dealer (ARD), without any due process. The bill also provided BAR citation and fine authority (up to \$5,000 per violation) for shops making simple paperwork mistakes.

ASCCA's government affairs team lobbied intensely on this issue, and Past President Mary Kemnitz met repeatedly with the author, Assembly Member Susan Bonilla, and her staff. After the meetings, Mrs. Bonilla agreed to delete the objectionable sections from the bill. By the time AB 1174 reached the Governor's desk, it was so diluted that he vetoed it, claiming it was "unnecessary and duplicative of existing practice at the Bureau."

The government affairs team also works hard

to ensure that common sense reforms are passed to allow shops to operate more freely. Last year, Assembly Bill 1222 was signed into law, which created new requirements for towing operators to address the problem of "bandit tows." However, it included strict requirements for businesses that accept vehicles from tow operators that included obtaining detailed information with no exception.

To address these concerns, a coalition of New Car Dealer's Association, tow truck association, ASCCA, Cal AutoBody Association, Cal-ABC, and AAA worked on developing Assembly Bill 2167 to provide a "safe harbor" for shops that attempt in good faith to obtain information from tow operators but are unable to do so. This bill was signed

by Governor Brown on September 23.

Although the legislative session is over, it is imperative we start preparing for the next round of policy decisions, and that starts with contributing to ASCCA's Advocacy Fund. Your contribution will help us further our reach in the State Capitol by funding volunteer travel to key meetings in which we can continue to make a difference for the automotive industry and expand our Annual Legislative Day. The fund also assists with our ability to attend industry events that pertain to telematics and right to repair.

Please consider contributing to the Advocacy Fund TODAY—no donation is too small. Thank you for your continued support of the ASCCA!! ■

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NEW CALIFORNIA LAWS FOR 2017 (CONTINUED FROM PAGE 5)

State-Run Retirement Savings Program.

This new law creates the framework to the Secure Choice Retirement Savings Investment Program; a state-run retirement savings plan mandated for private employees that includes automatic enrollment with an opt-out provision for California workers whose employers do not currently offer an eligible retirement savings program. The program will not begin enrolling participants until regulations have been developed, a process that is not expected to be completed for about two years. Private employers with five or more employees will be required to automatically enroll their employees in and make payroll deductions for the Secure Choice account, unless the employee opts out. It is intended that employers' responsibility is a pass through; to deduct and submit contributions from employee wages. (SB 1234)

Wage Discrimination and Application to Race.

Current law prohibits an employer from paying an employee at wage rates less than the rates paid to employees of the opposite sex in the same establishment for equal work on jobs the performance of which requires equal skill, effort and responsibility and which are performed under similar working conditions. This new law amends current law to provide an employee's prior salary cannot, by itself, justify any disparity in compensation under the bona fide factors above. (AB 1676). The law also expands the requirements to include employees' race or ethnicity, and not just gender. (AB 1063).

Criminal History in Applications for Employment.

This law prohibits employers (in addition to exiting laws) from asking applicants to disclose, or from utilizing as a factor in determining any condition of employment, information concerning or related to "an arrest, detention, process, diversion, supervision, ad-

judication, or court disposition that occurred while the person was subject to the process and jurisdiction of juvenile court law". (AB 1843)

Single-User Restrooms. Commencing on March 1, 2017, this new law requires all single-user toilet facilities in any business establishment, place of public accommodations or government agency to be identified as all-gender toilet facilities. (AB 1732).

Smoking in the Workplace. A new set of laws were passed during the middle of the year (June 9, 2016) which increased smoking age from 18 to 21; included electronic cigarettes and expanded the prohibition of smoking of tobacco products inside an enclosed place of employment. The law now applies to all employers regardless of size, including where the owner-operator is the only employee (i.e. owner-operated business). (ABX2-7)

Employment Protections for Victims of Domestic Violence.

This new law requires by July 1, 2017, employers with 25 or more employees provide specific information in writing to new employees upon hire and to other employees upon request of their rights to take leave under labor code 230.1 (relating to victims of Domestic violence, sexual assault or stalking. (AB 2337).

Heat Regulations for Indoor Workers.

Cal-OSHA investigates complaints that a workplace is not safe and may issue orders necessary to ensure safety. These new laws requires that by January 1, 2019, Cal-OSHA review and adopt a heat illness and injury prevention standard applicable to workers in indoor places of employment. The standard shall be based on environmental temperatures, work activity levels and other factors. (SB 1167)

Choice of Law and Forum Employment Contracts.

This new law prohibits employers from requiring California based employees to enter into agreements (including arbitration agreements) requiring them to: adjudicate claims arising in California in a non-California forum or litigate their claims under the law of another jurisdiction, unless the employee was represented by counsel. (SB 1241)

Paid Family Leave. Paid Family Leave provides short-term benefits to eligible employees who lose wages when they need to take time off for work to care for seriously ill child, parent, parent in law, grandparent, grandchild, sibling, spouse, or registered domestic partner or to bond with a new child entering the family by birth, adoption, or foster care placement. This new law (operative Jan 1, 2018) revises the formula for determining benefits available to those eligible employees. And removes the exiting seven-day waiting period for paid family leave benefits. (AB 908)

**STAY UP-TO-DATE ON LEGISLATION
THROUGHOUT THE YEAR!
TAKE ADVANTAGE OF TEAM
TALK AND THE WYNTK
WEEKLY E-NEWSLETTER:**

Contact Mary with any questions:
mputterman@amgroup.us

SOCAL WINS ASCCA'S 2016 COUNTERTOP DISPLAY CONTEST!

Thanks to all who participated!



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AUGUST TEAM WEEKEND RECAP



This weekend, ASCCA held its August Team Weekend and Chapter Leadership Strategic Summit at the Anaheim Convention Center in sunny Southern California.

Members were welcomed to the three-day event with a Friday evening networking reception at the Anaheim Marriott Platinum Patio, sponsored by AutoZone. Guests enjoyed complimentary refreshments, delicious chicken tacos with fire-roasted corn and salsa, and most importantly, the company of their fellow automotive industry colleagues from across California.

Saturday marked the beginning of the association's official business, as Chapter Presidents, Vice Presidents, Representatives, and members gathered for a four-hour Chapter Leadership Strategic Summit, led by Chapter 99 Representative Dave Schedin.

The first half of the summit focused on keeping the "WHY" in the Chapters alive. Dave interviewed ASCCA leaders who

stressed the importance ASCCA's foundational principles: the Mission Statement, Core Purpose, and Code of Ethics. Defending the automotive industry, newsletters, shop events, and Chapter mentoring were also discussed as ways that Chapter leaders can help reignite the passion in ASCCA members.

After a quick break from the morning interviews, the group was taken by surprise when Dave asked that they all stand up and move to the back of the room to participate in an interactive experiential leadership training, in which they put into practice Dave's given formula for success: intention + mechanisms = results.

To do this, participants gathered at the back of the room, shared with the group a 90-day goal of theirs, and had to get across the room by hopping, skipping, jumping, or any other way as long as they did not use another person's method. Creativity abounded, and laughter filled the room as each person came up with their own unique

way of finishing the exercise.

The summit proved to be not only an uplifting and effective educational experience on how to improve the health and well-being of your chapter, but also your business and personal life. Thank you Dave Schedin for inspiring us all!

After a lunch break spent grubbing on food truck cuisine, the Chapter Representatives convened their committee meeting, which began with a presentation from Bill Montgomery of Prime Motivation, a nonprofit group that takes cars to Southern California high schools to excite students about careers in the automotive industry.

The Committee then reviewed the most recent membership reports, and after a spirited discussion, recommitted themselves to elevating and uniting automotive



Instead of showing up to work every day focusing on how we can elevate our own shop, let's focus on how we can elevate each other and our entire industry. Then we will all succeed.
-Maylan Newton

professionals by reaching out to potential members and working to ensure current members are informed about the value of their membership, and the work that the

On Sunday, ASCCA's board of directors met to handle the business of the association, beginning with the announcement of their decision to renew their contract with

retired member can provide to the association is invaluable highlighted by the saying that "when a retiree dies, a library burns down."



state association is doing on their behalf.

ASCCA President Dennis Montalbano followed by providing the committee with an update on his efforts to visit every Chapter's board meeting. His overall message: the health of our Chapters is generally strong. Many are doing well, and some need a little help, but by working together, we can all succeed.

The Chapter Reps then took turns updating the committee on the progress towards their 2016 Chapter goals, outlined in the beginning of the year, and all had positive news to share. At the conclusion of the meeting, the committee reviewed the procedures for the upcoming board elections, and were reminded that their reconfirmation of Chapter dues billing is due November 1, 2016. At the adjournment of the meeting, members took the opportunity to unwind in preparation of the following day's board meeting.

Advocacy and Management Group for its association management services. They then moved on to review the association's financial statements and investment report, both of which showed ASCCA is in sound financial health.

The board of directors then considered and approved three recommendations from the Bylaws, Policy, and Procedures Committee, including one that will allow one retired member to serve on the board. President Dennis Montalbano expressed happiness that the board approved the new bylaws change, saying that the wealth of institutional and industry knowledge a

Each of ASCCA's committees then reported on the work of their committee. Of note, the membership committee announced that with the approval of the board, they will move forward with submitting a request for proposal (RFP) for membership marketing services to address the association's need for new members. The government affairs committee reported on still-pending legislation that ASCCA either supports or opposes, and let the board know that the 2016 legislative session will conclude on August 31.

The board meeting concluded with the announcement that there will be a 2017 budget planning meeting to be held in San Luis Obispo on October 29. Overall, it was another very constructive meeting for the association, and we would like to thank



all of the members who made the trip to participate. Each of you are the reason that ASCCA can continue doing the important work of advancing the professionalism of the Automotive Repair Industry.

NOVEMBER TEAM WEEKEND RECAP

This past weekend, ASCCA leadership and members convened at the Embassy Suites in Sacramento for their final Team Weekend of 2016.

ASCCA Leadership Elections

Looking ahead to the new year, the meeting began with the unanimous election of the following 2017 ASCCA Board of Directors, officers, and the Chair and Vice Chair of the Chapter Representatives Committee who were immediately sworn in for their 2017 term:

- Rocky Khamenian, Vice President and President-elect
- Jack Scrafield, Secretary
- John Villa, Treasurer
- Steve Elstins, Board Director
- Jerry Kubitsky, Board Director
- Nick Modesti, Board Director
- Steve Vanlandingham, Board Director
- Margie van Lierop, Board Director
- Rich Lezcano, Chapter Representatives Committee Chair
- Mitch Mendenhall, Chapter Representatives Committee Vice Chair

During the awards luncheon, ASCCA President Dennis Montalbano thanked his 2016 committee chairs and board of directors for their tireless work and support over the last year, and presented each with a certificate. He then awarded Immediate Past President Steve Vanlandingham with the 2016 President's Award, in recognition of his continued commitment to the association, even after his presidency. "In the army, once you retire, you go home back to your family," said Dennis Montalbano. "But that's not the way it works in ASCCA. In ASCCA, you're stuck with us, and Steve proves that year after year."



At the conclusion of the awards ceremony, Dennis Montalbano presented current vice president and president-elect, Dave Kusa, with his official, presidential gavel. Dave will assume the position of ASCCA president in 2017, and outlined his goals for the upcoming year in a speech to Team Weekend attendees. "A lot of us have been involved with ASCCA for many many years," said Dave Kusa. "I know a lot of this can seem routine, but next year I want you to join me in recommitting ourselves to this association, and continuing to push its core purpose to elevate and unite automotive professionals and give them voice."

Chapter Representatives Leadership Training

During their first meeting of the weekend, the Chapter Reps Committee held a productive discussion, covering topics of new workers' compensation requirements, speaker resources for Chapter events, and ways in which the state association can offer their support to the Chapters.

Maylan Newton of Educational Seminars Institute then treated the committee and guests to a one-hour leadership training focused on grooming the next generation of leaders and taking 100% of the responsibility for your business and your association.

Maylan highlighted all of the great things about being a member of ASCCA—being effectively represented in the State Capitol, the network of professional and personal support, and being the first to know about new impending legislative and regulatory changes—but said it's all for nothing if we are not getting the news out to both members and non-members to repeatedly show the value of ASCCA membership. He concluded the meeting with this pointed remark: "When leaders fail, people quit. So don't ever give up on your association or your industry. Keep fighting, and keep leading."



Countertop Display Contest Winners Announced

As if waiting for the result of the presidential election wasn't suspenseful enough, the Northern and Southern California Chapters have had to wait all year to find out who prevailed in the neck-and-neck annual Countertop Display Contest. The answer, kept tightly under wrap, was finally revealed this weekend. And the winner was.... drumroll please.... Southern California!



The south bested the back-to-back NorCal champs, submitting a total of 105 submissions, compared to their 100 submissions to win the prized ice cream sundae trophy! As the saying goes, to the winner goes the spoils, and Southern California finally got to be on the opposite side of the annual ice cream social, being served delicious ice cream sundaes by Northern California members.

The competition will certainly heat up next year as Southern California works to defend its newly minted title and Northern California works to take back the crown. So never stop proudly displaying your ASCCA Countertop Displays and Code of Ethics, letting your customers know that you are committed to the highest standards in the automotive repair industry!

Committee Breakouts and Board of Directors Meeting

On Saturday afternoon, several of ASCCA's committees met in-person for the last time of 2016, including the Government Affairs Committee, Public Relations Committee, Membership Committee, Revenue and Benefits Committee, and the Chapter Representatives Committee.

With the 2016 legislative session now over, the Government Affairs Committee gave an update to the members about legislative out-

comes, and the issues they expect to deal with in the coming year. The Public Relations Committee discussed ways in which they can continue to spread the word about ASCCA to the motoring public, as well as potential members, and how they plan to work hand-in-hand with the Membership Committee to attract new members into the association.

The Revenue and Benefits Committee made progress towards securing new sponsorships, and reported that they are on track to pass its 2016 sponsorship goal of \$40,000. The Membership Committee outlined a bold new plan campaign called 100-Plus to gain 100 new members in 2017. They also put together an action plan to make progress on the process of selecting a membership marketing firm to assist the association in its efforts. The Chapter Representatives Committee discussed its goals for the upcoming year, which will put a heavy emphasis on leadership training for Chapter leaders, and membership growth in conjunction with the Membership Committee.

Following the Committee meetings, the Board of Directors met, inviting the new incoming board members the opportunity to participate in their discussions. The Board reported the wonderful news that ASCCA is running a budget surplus, and thanked Treasurer John Vila for his leadership in keeping the association's finances in order. They also appointed ASCCA Secretary Jack Scrafield as the new chair for the Education, Training, and Information Committee. Jack will focus on working with the Chapter Representatives Committee in planning educational meetings for Chapter leaders.

At the conclusion of the meeting, outgoing President Dennis Montalbano thanked everyone who have stayed committed to attend ASCCA's Team Weekends, and expressed his optimism for the year ahead under the leadership of Dave Kusa.



BAR BAG REPORT

Report submitted by
Jack Molodanof, Esq.



October 20, 2016 | BAR Advisory Group Meeting & Workshops Summary

Below is a summary of the BAG meeting and the afternoon workshops held in Sacramento. Tracy Renee also attended and participated.

1) Welcome and Introductions

BAR announced that Dan Povey, Chief of Enforcement will be retiring at the end of the year.

2) DCA News and Updates

DCA indicated that they had been busy this year with automotive legislation (see legislative updates below). The Little Hoover Commission has released report with recommendations re: barriers to licensing. DCA expects bills to be introduced next year to implement recommendations. No time line with Breeze project which would allow for ARD's to renew registrations/licenses on-line.

3) Legislation Update

SB 778 (Oil Changes)-Vetoed; AB 873 (Minor Repairs)-signed by Governor but will not take effect because joined with SB 778; AB 1174 (Consumer Complaints)-Vetoed; AB 2167 (Towed Vehicles)-signed by Governor. AB 2153 (Lead Acid Battery)-Signed by Governor; AB 2387 (Supplemental Restraint Systems) signed by Governor; SB 1046 (Ignition Interlock Devices) signed

by Governor. BAR indicated that they are planning on developing a regulation package that would address all the issues in SB 778; AB 873 and AB 1174 rather than have new bills introduced. BAR plans on beginning this regulation package soon and will seek the input of all stakeholders. The BAR will be hiring someone to specifically work on this regulatory package. We will have to monitor very closely.

4) Regulations Update

The Windshield Replacement regulations were approved and will take effect 1/1/2017. These regulations establish new standards for the installation of replacement windshields, including providing information on the estimate and invoice re: adhesive cure times. BAR to do outreach to educate ARDs on the new regulation. Mobile ARD Advertising regulations are with DCA pending review. Electronic Documents and Authorizations regulations are pending review with DCA. BAR-97 Specifications workshop after the meeting. (See below); Brake and Lamp Handbooks update workshop after meeting (See below). BAR certification of School and Instructor (non-technical training) requirements pending DCA formal review; Repair Assistance Program regulations are under development by BAR.

5) California Vehicle Inspection System Transition (Cal-VISTA)

BAR has negotiated with current vendor of smog check maintenance program (SGS) for transfer of data system to state data OTech center and then will be issuing an RFP to

contract with a new vendor for support and maintenance the smog check program. The time line for release of RFP is next year.

6) OBD Criteria/Readiness Monitors

Starting August 7, 2016, BAR-OIS required vehicles to communicate basic OBD data appropriate to the vehicle. If a vehicle is OBD II, it must support certain OBD readiness monitor. BAR has identified some vehicle types that would fail for incomplete monitors at much higher rate than average and BAR has modified the VID to accommodate such vehicle issues. For more details, please contact Paul Hedglin at 916-403-0223.

7) Referee Inspection Procedures for Specially-Constructed Vehicles

If a vehicle meets specified requirements for Specially Constructed Vehicles (SPCN) (i.e. private use, not for resale, not constructed by licensed manufacturer, etc.) then allows owners to register and are exempt from smog check. These "kit cars" must pass Referee Inspection. BAR provided photos of vehicles that owners attempted to pass but were denied by Referee because they failed to meet requirements.

8) Auto Body Inspection Program

BAR offers consumers who had collision repairs a no-cost inspection of the repairs. BAR is now accepting salvage vehicles into the program. Consumers may file complaint for further BAR investigation or may choose to resolve through their insurance company or may choose to take no action. About 200

Inspections were requested for the 2015-16 fiscal year.

9) Enforcement Statistics Update

Consumer Complaint trends (percentages) are as follows; Engine repair and engine performance 33%; General Repair and Maintenance 18%; Auto Body 13%; Transmission 10%; Smog 9%; Used Car Transactions 4%; Unlicensed activity 3%; Vehicle Warranty 2%; Other 8%.

Two separate Workshops took place in the afternoon

BAR-97 Update Workshop

The workshop provided an opportunity for public comment on the draft BAR-97 regulations. The changes to the BAR-97 include, among other things, requiring internet connection to VID; deletes modem

requirements; updates operating system software (windows 7 or higher); replaces floppy drive with USB drive; revises referee prompts; changes smog check manual. The comments/concerns centered around the area of requiring smog check stations to update and purchase/lease new BAR-97 equipment to stay in the STAR program.

Lamp & Brake Inspection Handbooks Workshop

Last update took place in 2006. The regulations need updating due to change in technologies. New lamp technologies (HID, LED and directed lighting) and new inspection technologies (Laser aiming devices, optical aiming devices). New braking technologies. The BAR has consulted with subject matter experts, CHP, DMV, SEMA and FMVSS. BAR updating old images from Lamp and Brake handbook and creating new certificates. Non-controversial.

**THE NEXT BAR
ADVISORY COMMITTEE
IS SCHEDULED
FOR THURSDAY,
JANUARY 19, 2017**

Maximize Your ESi Benefits!



DISCOUNTED COURSE OFFERINGS

ASCCA Partners with Educational Seminars Institute (ESI) Again to Bring You Discounted Course Offerings in 2016!

This member benefit is available for 2016 courses now!

Seminar courses are normally \$149.95. ASCCA members pay only \$95 per attendee -- a savings of almost \$55 per class! Service writer courses are normally \$1,500. ASCCA members pay only \$950 per attendee!

[Click here to take advantage of this offer.](#)

TAKE YOUR BUSINESS TO THE NEXT LEVEL



As an ASCCA member, you probably already know that you have exclusive access to Educational Seminar Institute's (ESI) course offerings at a discounted rate, but did you know that you are also able to receive 30 minutes of FREE business management consulting every month?

That's right—in addition to all of the other resources that ASCCA provides to help your business grow, you can speak one-on-one with ESI CEO Maylan Newton for 30 minutes

per month about the challenges facing your business and how to improve your bottom line. An ASCCA preferred instructor, Maylan is an ASE Master Technician, service writer, service manager, general manager, coach, and consultant who specializes in identifying and offering solutions to the most common problems facing independent auto repair shops.

So whether you need advice on determining the proper hourly rate you should be paying your employees, understanding your monthly profit and loss, maximizing technician productivity, marketing, making personnel decisions, or anything else, then make sure to take advantage of this amazing benefit.



ASCCA MEMBER OF THE MONTH AUGUST 2016

Stuart Terry

STUART TERRY AUTO REPAIR

The ASCCA Membership Committee is proud to announce that it has selected Stuart Terry of Stuart Terry Auto Repair as the ASCCA Member of the Month for August 2016. Each month, an ASCCA member is recognized for going above and beyond to support ASCCA's Core Purpose: To elevate and unite automotive professionals and give them voice.

Stuart joined ASCCA in 1995 and has been a dedicated member ever since. Stuart served as his chapter's state representative, vice president and president while being the editor of his local chapter's newsletter, "Byways". He also served on the state level of the ASCCA as a board director, secretary and vice president before taking on the role of president.

Stuart's shop has been open in San Diego since 1975 and specializes in general maintenance and repair. With great success, he purchased a second location in 1986. In addition, his shop is part of the Green Business Program and "Green Station" certified by the Office of Pollution Prevention and Green Technology.

Being a member for over 20 years, Stuart made a lot of great memories. "Every team weekend or event I attended had its share of fun. From midget wrestling to bowling to staying overnight in Sacramento when our flight was canceled- all were memorable moments I cherish."

When asked about how ASCCA has benefitted him and his business, Stuart replied "I would not be where I am today if ASCCA and all of our members had not helped me succeed over and above my personal goals. In this association, it is all for one and one for all. I love that we have the greatest group of transportation people in the industry, who are all willing to drop what they are doing to help a fellow member."

Thank you Stuart for your ongoing dedication to ASCCA! Our organization and its members have greatly benefited from all of your hard work, devotion, and unwavering commitment. Congratulations!



ASCCA MEMBER OF THE MONTH SEPTEMBER 2016

John Villa

VILLA AUTOMOTIVE

The ASCCA Membership Committee is proud to announce that it has selected John Villa of Villa Automotive as the ASCCA Member of the Month for September 2016. Each month, an ASCCA member is recognized for going above and beyond to support ASCCA's Core Purpose: To elevate and unite automotive professionals and give them voice.

John has been involved in the automotive industry almost his entire life. His father, Elwood Villa, started Villa Automotive in 1947 and the business has been serving San Luis Obispo automotive needs ever since. In 1988, John joined ASCCA right when he and his mother Louise took over the family business.

Since taking over the shop in 1988, John increased business twenty-fold and has been voted the Best Shop in the County since 1989 by the readers of the New Times Magazine. Villa automotive now has 39 employees, and is a complete automotive repair and service shop, with a 24-hour towing service.

Being a member for over 25 years, John credits ASCCA's government affairs in helping him grow his business. "ASCCA is always there to advocate at the State Capitol and work to ensure that any legislation impacting the automotive industry won't negatively affect members' businesses. Knowing what is coming down the regulatory side is vital, and ASCCA is always there to inform us of any new regulations."

When asked why he loves ASCCA, John replied, "We shop owners are not employable, because of the passion we have for our profession. That's what I love about ASCCA. PASSION."

Thank you John for your ongoing commitment to ASCCA! Our organization and its members have benefitted greatly from your involvement, dedication and most importantly, your passion for ASCCA and the automotive industry. Congratulations!

Welcome, NEW MEMBERS

JULY 2016 – SEPTEMBER 2016

CHAPTER 24

Mainstream Merchant Services (San Diego)

Roy Wheeler Automotive (El Cajon)

CHAPTER 25

Sullivan's Tire Pros (Oakhurst)

CHAPTER 48

Advantage America Insurance (Murrieta)

CHAPTER 1940

Shige's Foreign Car Service (Gardena)

15 YEARS

Bussard's All Pro (Los Angeles)

Sunnyside Auto Repair, Inc. (Fresno)

John's Automotive Care (San Diego)

Craig Johnson Automotive (Rowland Heights)

John Howell's Service Center (Tulare)

10 YEARS

Baron's Foreign Car Service (San Diego)

5 YEARS

Allied Gardens Automotive, Inc. (San Diego)

Tuolumne Street Auto Repair & Electric (Vallejo)

Devil Mountain Diesel (Walnut Creek)

East County Alignment (Santee)

Anniversary MILESTONES

The ASCCA would like to recognize members who celebrated a milestone anniversary in July 2016 – September 2016. Congratulations and thank you for your support! Our association has grown strong and is effective because of members like you!

30 YEARS

Kerechuk Motor Service (Alhambra)

Camarillo Car Care Center (Camarillo)

Shafter Auto Service, Inc. (Shafter)

25 YEARS

Leo & Son's Garage, Inc. (Bellflower)

Vince's Auto Service (Pasadena)

Lee's Service, Inc. (Reedley)

Auto Tech Auto Repair (El Cajon)

Leon's Transmission Service, Inc. (Reseda)

20 YEARS

All Tech Automotive (Carmichael)

Van's Automotive (El Cajon)

Angelo's Classic Import Service, Inc. (Redding)

Don & John's Auto Repair (Sunnyvale)

Burlingame Motors (Burlingame)

Datsonville Automotive (Burlingame)

Pacific Auto Repair (Burlingame)

Brad's Motor Werke's (Newbury Park)



Acquiring & Retaining YOUR BEST CUSTOMERS

As the leader of one of the fastest growing small businesses in the country, I am constantly challenged with how company earnings should be reinvested for maximum growth overall.

There are many marketing avenues for reaching your target audience. I would suggest using a variety of marketing channels to communicate. Finding the right marketing mix for your business may take some trial and error but here is a look at a few new and old methods I use.



by Tim Ross, President of Mudlick Mail

Direct Mail

Direct Mail is by far the best method for acquiring new customers. The power of direct mail in growing car count is unparalleled. Direct Mail offers a targeted approach by allowing you to get your message and offer in front of your most profitable, long-term customers. According to the Direct Marketing Association, the read rates on direct mail postcards are 56 percent. To achieve high response rates, you must include a strong call to action and make it visually compelling. It is important to use professional designers to help build your business credibility. The other big benefit of direct mail is the ability to [track calls and measure the effectiveness of your campaign](#). You should only consider a provider that offers a variety of tracking tools to help you measure your campaigns. Direct mail tracking has become very sophisticated providing analytics such as:

- » number of call responses,
- » call conversation analysis for training purposes,
- » new customer acquisition rates,
- » estimated customer lifetime value,
- » market penetration rates and so much more.

Email Marketing

Every business needs an offline and online marketing strategy. A well planned and versatile approach allows multiple touchpoints to promote seasonal offers and [keep your business top of mind with service reminders](#). 67% of online searches are driven by offline messages, according to the 2015 Direct Marketing Association Factbook. We plan our email marketing around when our direct mail advertising is set to hit mailboxes. Timing of emails and direct mail should be in-sync, as well as the design and messaging of each. To optimize response rates, consumers should be able to recognize the similarity and make the brand connection.

Using a combination of marketing tactics has allowed me to grow our company revenue and maintain solid retention rates year over year! To stand apart and sustain sales growth, it is critical to have a plan of action for new customer acquisition and retention. Success derives from managing acquisition and retention as two distinct efforts. Although you manage the two separately, each should be executed with the goal of maximizing impressions building your market area dominance.

About the Author

Tim Ross is the President of Mudlick Mail. He has 15+ years of automotive service sales and marketing experience. Tim holds a Bachelor of Science from the University of Dayton.

He has spent the last eight years building Mudlick Mail into one of the fastest growing companies in the USA! Under his leadership, the company has grown at least thirty-percent year over year. Mudlick Mail specializes in automotive service marketing and has partnered with thousands of shops in North America to develop sustainable sales growth. Tim hosts a series of learning webinars for shop owners, covering a range of topics on front counter responsibilities, operations and marketing. Visit the [Mudlick Mail Automotive](#). [MudlickMail.com](#) for FREE shop owner resources and tools.

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ASCCA Chapter Network

The Automotive Service Councils of California is made up of local chapters. Join your local chapter today and get involved!

EAST BAY (16)

Meetings held second Tuesday, 6:30 p.m.
Call Art Ratner: (510) 540-7093

FOOTHILL (5)

Meetings held first Tuesday, 6:30 p.m.
Call Joseph Appler: (626) 296-6961

FRESNO (25)

Meetings held second Thursday, 7 p.m.
Call Zarkis Martirosian: (559) 268-6359

INLAND EMPIRE (14)

Meetings held third Tuesday, 7 p.m.
Call Rory Balmer: (909) 337-0082

LONG BEACH (18)

Meetings held third Tuesday, 7 p.m.
Call Kristen Bunting: (562) 424-8726

MOUNT DIABLO (20)

Meetings held third Thursday, 7 p.m.
Call Steve Elstins (925) 676-8376

NORTH ORANGE COUNTY (48)

Meetings held third Wednesday, 6:30 p.m.
Call Denise Pina (714) 990-1500

PENINSULA (23)

Meetings held last Tuesday of every other month, 7 p.m.
Call Angi Roberts: (408) 266-9658

REDDING (99)

Meetings held last Wednesday, 6:30 p.m.
Call Ken Breshears (530) 222-2572

SACRAMENTO (34)

Meeting times vary
Call ASCCA Office (800) 810-4272

SAN DIEGO (24)

Meetings held third Tuesday, times vary
Call Mitch Mendenhall: (619) 334-6005

SAN FRANCISCO (21)

Meetings held last Wednesday, 7:30 p.m.
Call Paul Grech: (415) 286-6747

SAN JOAQUIN VALLEY (6)

Meetings held second Thursday, 6:30 p.m.
Call Paul La Berge (209) 466-5364

SAN JOSE (42)

Meetings held second Wednesday, 7 p.m.
Call Angi Roberts: (408) 266-9658

SANTA ROSA (28)

Meetings held third Thursday of every other month
Call Robert Toepp: (707) 546-2851

SOUTH BAY (1940)

Meetings held quarterly, 6:30 p.m.
Call Michelle Sprokkereef: (424) 206-1646

TULARE/VISALIA (26)

Meetings held fourth Thursday, 6:30 p.m.
Call John Camara: (559) 688-5721

WEST LOS ANGELES (12)

Meeting times vary
Call Jo Ann Fischer: (909) 939-0332

Bureau of Automotive Repair (BAR): Chief

Patrick Dorais
(916) 255-4565

BAR: Industry Ombudsman

Rick Fong
(916) 255-2893

California Chamber of Commerce

Headquarters
(916) 444-6670

California Air Resources Board (CARB)

(800) 242-4450



Now Available ASCCA Consumer Brochure

ASCCA has created a consumer brochure for members to use in their shops! It's a handy new tool which describes the value of choosing ASCCA member shops over others.

Download the free electronic template from the member's only section of the ASCCA website, www.ascca.com.

Note that you must login with your member ID to access the template. ■

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