

# ABAC NEWS

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*The Official Newsletter of the Auto Body Association of Connecticut*

## ABAC Members Convened as CT Association Continues Educational Series



Another “packed house“ was on hand for the Quarterly meeting of the Auto Body Association at the Chowder Pot Restaurant in Hartford on September 13<sup>th</sup>.

ABAC Vice President Tony Ferraiolo opened the meeting by thanking the **meeting sponsors**. They were:

- **Albert Kemperle**
- **Bald Hill Dodge-Chrysler-Jeep & Kia**
- **Enterprise Rent-A-Car**

*(Continued on page 2)*

### Also in this issue.....

EPA Federal Office Response to SCRS Letter on 6H Rule	Page 6
Avery vs. State Farm Case Back in Spotlight	Page 7
After Petition Filed to Restore \$1 Billion Verdict	Page 8
For Sale	Page 8
ABAC Officers	Page 8



(Continued from page 1)

- **Lorensen Auto Group**
- **Town Fair Tire**

Tony then thanked the yearly **Corporate Sponsors** of the ABAC:

- **Platinum:**
  - **BMW of Bridgeport**
- **Gold:**
  - **Albert Kemperle**
  - **Bald Hill Dodge-Chrysler-Jeep & Kia**
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  - **Richard Chevrolet**



If anyone is interested in becoming a Corporate Sponsor of the ABAC, please contact Heather at [abacadmin.heather@gmail.com](mailto:abacadmin.heather@gmail.com) or you can contact any one of the Board of Directors listed on the back page of this newsletter.

Tony also thanked CCRE President, Tony Lombardozzi, and John Parese and John Buckley from the Law Offices of Buckley & Wynne for taking their time to join us at our meeting.

Said Ferraiolo, *“The next few meetings will be a continuation of our educational series of meetings. We found that the (ABAC) membership wants education. We started a while ago with air bags, hybrid/electric cars, the Ford presentation on OEM parts, etc. We’re hoping to get some of the other OEM manufacturers interested in speaking and possible helping us and them with the issue of aftermarket parts.”*

He continued, *“I’d like to thank everyone for coming out tonight and (if) you look around and see we have a pretty good showing of people, but we would really like to see more and it’s the people who aren’t here that are still working at their shops and are working the 80 hours a week that REALLY need to be here and get some of this education from our guest speakers and their presentations!”* Tony discussed his years of involvement with the ABAC and what the association has offered to him in education, information from his peers, and he talked about being with successful people has helped his business prosper. Talk to your friend who may be a shop owner. Reach out to someone you know in the industry. Have them join you at the next ABAC meeting so that they can learn how to be more successful and more profitable.

Tony then introduced Board of Director Bill Romaniello to read the Anti-Trust Disclaimer.

After doing so, Romaniello commented that *“Insurance companies get together and talk about everything you (the collision repairer) do every single day. They have all the numbers of everybody that’s in this room; who*

(Continued on page 3)

*(Continued from page 2)*

*uses estimating systems or outside 3<sup>rd</sup> party claims administrators, etc. They have all your figures. They know what you're doing. We're here tonight to wake you up and let you know that WE should know what they're doing and how to fix our businesses."*

Bill then introduced Dave Fogarty of the Lorensen Auto Group. Dave offered, *"What you have leading the ABAC, present and past, is a group of dedicated individuals that starts with the president and his officers, Board of Directors and Committee Chairs. Our current president, Bob Skrip, quite honestly does not get the credit he deserves and I think he has done a whale of a job."* Continued Fogarty, *"Every ABAC President has had their own niche but I think Bob has done more to network our association throughout the country than any other president we have had. His passion has been front and center since 2003."*



Dave then introduced the two newest ABAC News Supporting Advertisers:

- **Tasca Auto Group – Cranston, RI**
- **West Springfield Auto Parts – West Springfield, MA**

Remember, all of the Supporting Advertisers found in the ABAC News Ad Directory financially support the ABAC. Please use them for your business needs. **"Support those who support you!"** If you are interested in becoming an ABAC News Supporting Advertiser you can reach Dave at 860-227-0653 or Don Cushing at 401-641-8661 or email [abacnews@cox.net](mailto:abacnews@cox.net) and they can fill you in on the details.

Back to the podium, Bill Romaniello shared a video with us and talked about shop owner's liability, CAPA certification, CAPA De-certification, international law (aftermarket parts from Taiwan) and 3<sup>rd</sup> party liability just to name a few. *"Open up your mind. Stop being told what to do with your business. Insurance companies have forced you to conform to their thinking and their rules. They're setting the rules on YOUR business and you're following hoping to make a profit on what's left over"*, offered Romaniello.

Bill then introduced Tony Lombardozzi, President of CCRE. Tony mentioned how he enjoyed going to other association meetings from time to time to see what's going on within the industry on a national level. *"We have been psychologically reorganized...BRAINWASHED! Why? Because otherwise there would be no way the insurance industry could control what goes on,"* said Lombardozzi.



Romaniello then offered, *"These meetings are about you, the shop owner. (If) you have a question to ask or we run by a scenario that may have happened at your shop and you don't know what to do, put your hand up, stand up, speak up because we're here to answer your questions. We're going to continue this educational series throughout the state and we want your participation and we want to help you!"*

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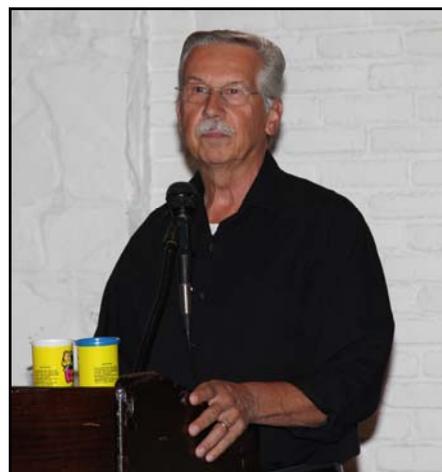
Tony Ferraiolo then stepped back to the podium and recognized Chris Sheehy of Sidewalk Branding who was presenting our meeting via “live-feed” on FaceBook and Twitter. Chris has helped many ABAC members with their technology. Technology will be another portion of the educational series that the ABAC will eventually touch upon.

At this point Ferraiolo covered several subjects such as:

- **Getting the keys from the customer**
- **When a car is drivable or not**
- **Customer’s needs**
- **Inspection of a vehicle upon arrival at your shop**
- **Scheduling of the job**
- **Scheduling of the appraiser**
- **Educate the customer – If you don’t the insurance company will!**
- **“Sell” your shop to your customer by letting them know what you have to offer**
- **Let the customer know what you specialize in**
- **Are you going “green”?**
- **Is your front office “customer friendly”?**
- **Being professional**
- **Let your customer know about “insurance company deals”**
- **The Right to Choose**
- **Explain the differences in parts**
- **Make sure you get signed documents**

There were many questions and plenty of conversation at this point with many examples from several shop owners and managers on how they deal with above items, specific problems and what their solutions are.

The next topic discussed was **Dis-assembly and Blueprinting**. Says Romaniello, *“20 percent of what you do controls 80 percent of your process. So what you grab up front when you start on that repair is going to make sure it flows through your shop quickly which gets us dollars through the door faster.”* Bill then brought up Board of Director, Randy Serkey, of A&R Auto Body in Torrington who offered us an “in-depth” look at disassembly and blueprinting. This was an extremely detailed and informative presentation and one can truly see what value this information would have and how it can affect your bottom line! This was a “do not miss” presentation so remember, when you attend an ABAC meeting you not only leave with a wealth of knowledge but you also leave with critical information that affects your bottom line. This means PROFIT! Many thanks to Randy for the amount of effort and preparation put into this presentation.



(Continued on page 5)

(Continued from page 4)

Next subject on tap: **Towing & Storage issues.** John Parese of the Law Firm of Buckley & Wynne and the ABAC's Legal Counsel briefed us on this subject. John gave several examples and how to deal with certain issues. He then fielded questions and dialogue from attendees. John can be reached at 800-445-2278 or by email [jpase@buckleywynne.com](mailto:jpase@buckleywynne.com)



Offered Romaniello, *“The ultimate goal of this association (ABAC) is to let you know that we are here for you. Know your rights and network with your peers to improve efficiencies in your business”. You never know. An idea that a fellow shop owner may have, and uses, could work for you and others! “Do your homework. Do research on the internet. Know the laws. Use this information. It’s valuable and may very well affect your longevity in the business!”*

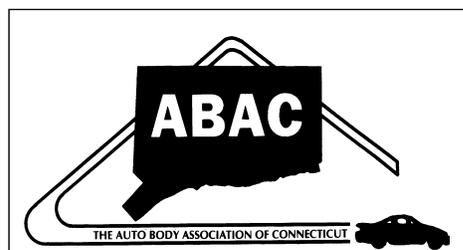
Next topic: **Proper Forms & Documentation.** Discussed were:

- **Estimate and Authorization Forms**
- **Customer Intake Sheets**
- **Direction to Pay Forms**
- **Repair Orders**
- **Assignment of Proceeds Forms**
- **Financial Obligation Forms**
- **Repair Order Event Diary Forms**

In closing, as you can see, we have tried to be brief on some of the subject matter. Our reason is we need **YOU** to attend these meetings so that you can get the full effect of the solutions and situations presented to everyone by dedicated professionals willing to share their information and their **“tried and true”** results to help you and our industry!

Do you see value in the information that you’ve read? Join the ABAC and share in what we have to offer on a continual basis. Contact a Board member or even your friend who owns a shop and is an ABAC member and join him or her at our next meeting. **You can’t afford to miss out on our ongoing educational seminars.**

Submitted by Don Cushing



# EPA Federal Office Response to SCRS Letter on 6H Rule

On April 4, 2011, the Society of Collision Repair Specialists (SCRS) and 26 of its Affiliate Associations issued a letter to the ten Environmental Protection Agency (EPA, Agency) regional offices, requesting clarification on their interpretation and intended enforcement of exemptions listed in the EPA rule Subpart HHHHHH- National Emissions Standards for Hazardous Air Pollutants: Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources (Rule 6H.)

In addition to expressed concern that the rule as written "invalidates pollution controls based solely on the size of tool being used rather than the amount of pollution being generated," the letter specifically requested a response from the EPA on three items:

1. A documented response regarding the exemption for coatings applied with a paint cup equal to or less than 3 fluid oz., and clarification that the rule applies to the type of work being performed.
2. A documented response that a 3 fluid oz. cup cannot be used and repeatedly filled to circumvent the rule.
3. Clarification that, while a business applying coatings may be exempt from Rule 6H by meeting certain stated requirements, the exemption does not negate other additional regulatory requirements (such as OSHA, local zoning codes or fire ordinances) that may prohibit spraying flammable solvent or coatings with Hazardous Air Pollutants (HAPs) outside of a contained environment.

In a response letter received by SCRS and issued by the EPA Air Branch, Monitoring, Assistance and Media Programs Division, it was clarified that the 3oz cup was indeed defined by the Agency as a way to distinguish conventional collision and vehicle repair from "operations that perform vehicle repairs of small stone chips and scratches." The letter continues to point out that both "mobile operations and conventional collision repair shops are subject to the rule requirements for training, spray equipment, and the use of a spray booth or other ventilated and filtered enclosures," and that while "the 6H rule does not extend to spray-applied coatings applied from a hand-held device with a paint cup capacity that is equal to or less than 3.0 fluid ounces, the Agency may find that persons who repeatedly refill and use a three ounce cup, as a means of avoiding rule applicability, are attempting to circumvent the 6H rule...and reserves the right to bring enforcement actions against any person whose action equates to rule circumvention."

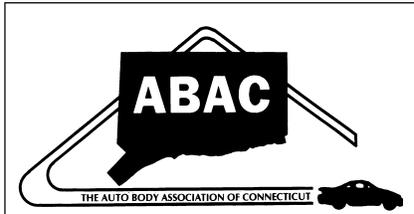
"We are pleased that the EPA has responded with a clear and concise message that collision repairers and mobile operators alike will be held to the same regulatory requirements as it relates to the 6H Rule," stated SCRS Chairman Aaron Clark. "In their response, the EPA Office has made it clear that much of the rule enforcement is based on intent. In some cases the use of the 3.0 ounce cup may be a necessity of the job being performed, but it is clear to us that the EPA offices will not accept intentional circumvention of the rule by habitually "fragmenting paint jobs into smaller tasks" or "refilling 3.0 ounce cups in an effort to avoid regulation." This is the basic clarification we were looking for, and anticipate that this will provide solid information for shops."

*(Continued on page 7)*

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One additional point of clarification offered by the EPA letter confirmed that "the 6H rule does not negate other regulatory requirements (such as federal or local occupational health and safety requirements, local zoning codes, or fire ordinances) that may prohibit or restrict spraying flammable solvents or coatings containing HAPs within or outside of a contained environment."

**Source: [www.collisionweek.com](http://www.collisionweek.com)**



## **Avery vs. State Farm Case Back in Spotlight After Petition Filed to Restore \$1 Billion Verdict**

A petition was filed Sept. 8 by the attorneys for the plaintiffs in the 1997 Michael Avery, et al. v. State Farm Mutual Automobile Insurance Company case, asking the Illinois Supreme Court to reconsider their case because the defendants allegedly committed an "intrinsic fraud" against the court.

The plaintiffs, who claimed to represent 4.5 million State Farm customers, allege that State Farm covered up its support of Justice Lloyd Karmeier in his 2004 reelection campaign against former 5th District Appellate Justice Gordon Maag. Nine months after Karmeier was elected, he sided with a 4-2 majority to void a \$1 billion judgment against State Farm for allegedly breaching its contract with policyholders when it required the use of after-market parts in the repair of vehicles.

Initially, a jury awarded \$465 million to some State Farm customers, while \$730 million was awarded to other policyholders. The 5th District Appellate Court upheld the decision on appeal in 2001, but then State Farm appealed to the Illinois Supreme Court. According to the petition, the court delayed a decision during the 2004 election in which Karmeier sought a seat. The plaintiffs asked Karmeier to recuse himself due to having received \$350,000 in campaign donations from State Farm, but he did not, the petition said, and the court ruled in State Farm's favor.

The petition filed Sept. 8 claims State Farm lied to the court about its involvement with Karmeier's campaign and claims that State Farm fed \$2.5 million to \$4 million to the campaign through the U.S. Chamber of Commerce, the Illinois Republican Party, the Illinois Civil Justice League (ICJL) and ICJL's political action committee, JUST-PAC.

A private investigator and 28-year FBI special agent hired by the plaintiffs filed an affidavit with the plaintiffs' petition stating that three individuals who were employed by Karmeier's campaign came forward with information indicating deep involvement by State Farm in the campaign.

**Source: [www.bodyshopbusiness.com](http://www.bodyshopbusiness.com)**

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*The goal of the ABAC News is to provide a forum for the free expression of ideas. The opinions and ideas appearing in this publication are not necessarily representations of the ABAC and should not be construed as legal advice.*



**In our last issue** we reported the untimely passing of long-time member and good friend Tim Weller of Pt's Custom Auto. Patty Weller has asked us to list some of the items that are for sale from their auto body business:

- 2001 Ford F550 XLT Wrecker with 7.3 Liter Power Stroke Turbo Diesel & Vulcan 882 Wrecker Body
- 1992 Ford F600 Flatbed. Rebuilt engine installed in 1999 and new 19 ft aluminum bed installed 2005
- Chassis Liner Frame Machine
- 7 Ton 4-Post lift with 3.5 ton Center Scissor Rolling air jacks
- Stand Alone Pulling Post (no floor pots)
- Future Cure Spray Booth & Banaza Air Management System (Propane fired) 15x24 feet
- Paint Mixing room 15x6 ft

If interested or you have questions, please call and leave a message with contact information. (203) 881-1645

Thank you so much for all your support.

Patty  
PT's Custom Auto

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