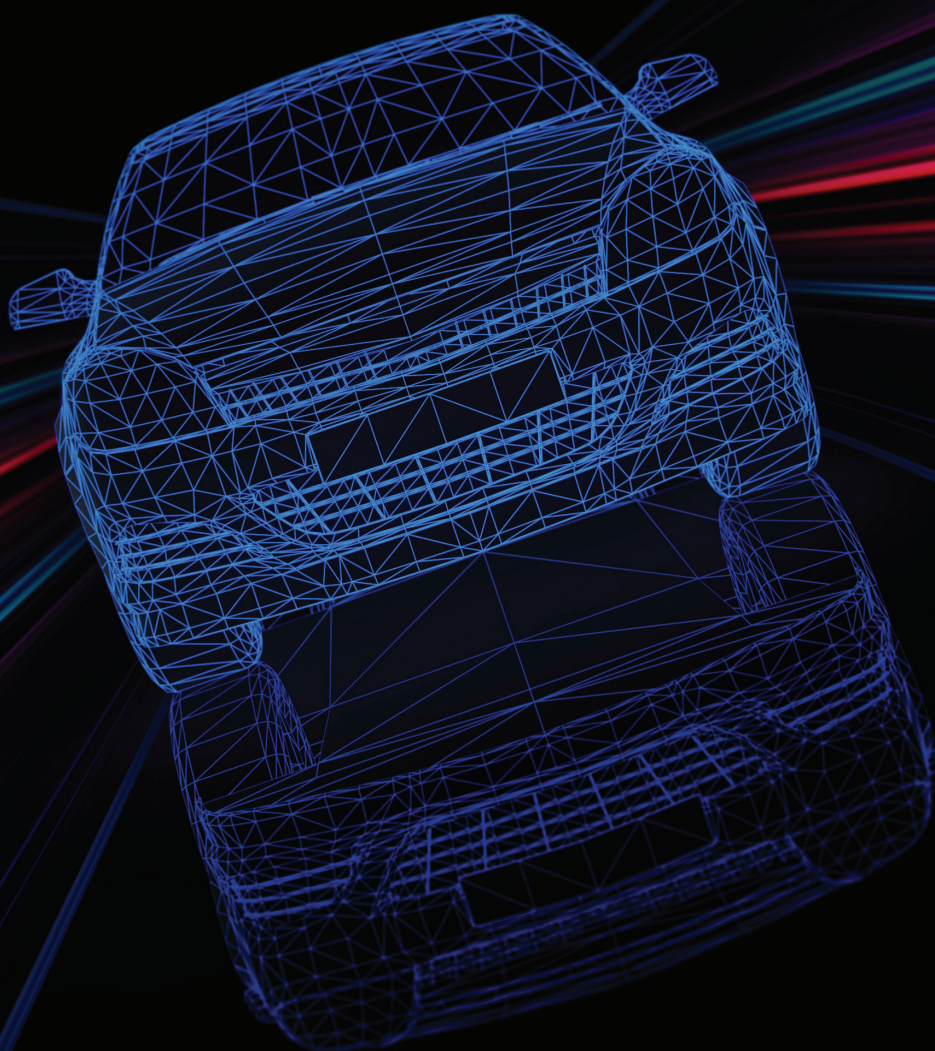


ABAC NEWS

May
June
2019

The Official Newsletter of the Auto Body Association of Connecticut

Is Certification Here to Stay?



Your Car, Your Choice - Find us at www.abaconn.com

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President's Message

Bob Amendola

Shop Culture - Creating, Improving and Maintaining It



When it comes to the health of our businesses, we often focus on investing in equipment, staying up to date with technology, negotiating claims etc. Shop culture is often overlooked while it is arguably one of the most critical components to the success of your business.

The pulse of your shop is set by management and creating a healthy work environment begins with a change in mindset, top to bottom.

There is a distinct difference between a boss and a leader.

A boss manages employees while a leader inspires them to achieve. As a leader, you need to be the most positive person you can be because you set the tone. Bad days happen but an important part of being a leader is finding ways to keep your composure and maintain a positive attitude. Scream tactics and high-pressure may pay off short-term in productivity but both are unsustainable, cause burnout and will ultimately create a toxic work environment.

Instead of leading by fear, focus on leading by example. Set clear expectations and coach them along the way. Slight adjustments, reinforcements and praise make a world of difference. In my opinion, a good leader coaches people in a way that makes them want to perform. A kind word or compliment goes a long way.

I try to emphasize a team atmosphere at our shop. We each have a part to play to make the wheels turn and no role is more important than another. Providing your team with continuous training and the proper resources are essential. Part of your role as a leader is to coach your technicians, help them to improve their skillset and build self-confidence. Be accessible and available to them.

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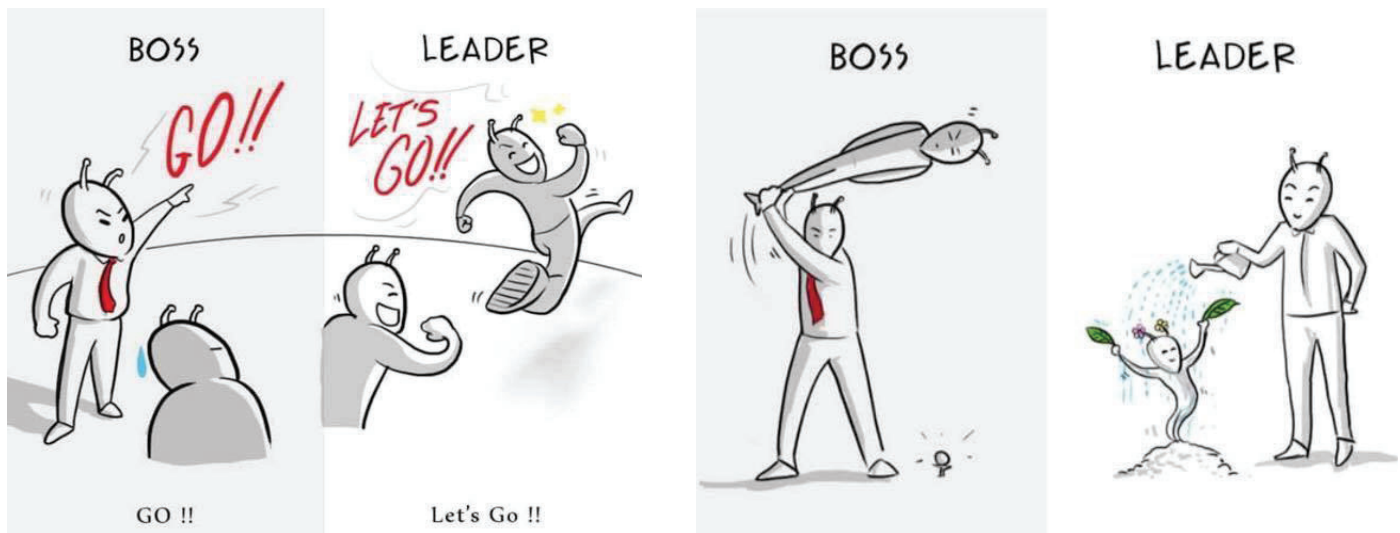
An open-door policy is just the beginning. Help them succeed. Not only will this be beneficial to them, but it is truly an investment in your business as well.

Our industry is often fast paced, demanding and grueling. This is all the more reason to make sure that you take care of the people that are working hard alongside you. This can be done in a host of different ways when it comes to compensation, benefits, bonuses, breaks, vacation time etc. Everyone is at a different point in their career so there is no one right way to go about it. The idea is to determine what you can do, what each person wants and finding a happy medium.

When it comes to morale, there are many ways to improve and maintain it. Most of which are simple, easy and cost-effective. Having a coffee and donuts break once in a while or buying pizza for an extended lunch break on a Friday are not necessarily expensive but go a long way for team morale. We may feel as though we have a fair read on morale but taking a few minutes and checking in with people individually from time to time is always a good idea. Not only does it help us to have a better sense of where things stand, but it speaks volumes when each team member feels valued and respected.

“A leader is one who knows the way, goes the way, and shows the way”. (John Maxwell)

Bob



**AUTO BODY
ASSOCIATION
OF CONNECTICUT**

Is Certification Here to Stay?

Three years ago, I decided to test the waters of OEM Certification. At that time, I was heavily involved in the Auto Body Association of Connecticut (ABAC) travel and involvement with other Associations throughout the country. I was noticing that everyone was talking about OEM Certification. I didn't understand why we needed to be certified by a third party that was not actually the manufacturer of the vehicle. It seemed to me that the OEM's were sold by these third-party administrators and that the industry needed shops to be certified. We had always done continued education and training such as I-car, ASE, paint manufacturer training and even some hands-on training provided by Toyota University.

There is a boat load of information out there and that was before YouTube. So, I didn't think we needed to pay someone to accredit us on qualifying to be on an OEM program. But someone had to test the waters, being the President of the association, I felt it was my responsibility to see if this was indeed the future of the collision industry.

We applied to Assured Performance to see what was involved and if this made us a better repairer and if we actually were sent referrals from the manufacturer. We had a lot of I-Car training, but we were not I-Car Gold.

My opinion of I-Car is that the training is great for your technicians, but I feel some of the classes that they require your technicians to take is redundant. I was at a leadership meeting and I got the ear of a high ranking I-Car official. I told him it was unfair to ask a shop with a 20-year veteran painter to take a class on mixing paint. Some of the classes we were asked to attend was just a waste of money and time. Why couldn't they come in our shop and pre-qualify my technicians on some of these classes that they were already proficient in? He said that was a great idea and I-Car would investigate this concept.

Shortly after that meeting I learned about VeriFacts. Here was a training entity that would come into your shop, work with your technicians, using your equipment and spot check on your technicians without notice. Finally! What I thought we were looking for. We signed up and started training with VeriFacts. But at that time VeriFacts was only signed on by a couple OEM manufacturers to certify shops for them. We did a six-month training program and then stopped because one of the OEM manufacturers that VeriFacts represented would not allow us to become one of their shops because there were already enough Certified shops in our area.

I didn't understand what the OEM's wanted. Did they want shops to properly repair their vehicles or did they only want a certain amount of proper repair shops? We went to Assured Performance and pursued OEM recognition with five OEM manufacturers. It cost a lot of money just to sign up. Then it cost a lot more money to perform all the I-Car requirements to get up to I-Car Gold status.

Three years later and we are constantly training and fulfilling what they are requesting.

Now, I want to make it clear that I have no issue with the training, but I feel me and my technicians should have more input in the classes that we need to fulfill. Taking tests should not be the only way a shop is considered to be a better repairer.

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There is much more that should go into your repair status. My opinion is these third-party entities that the OEMs are using to qualify us are making a lot of money on our industry and we are left to burden the cost without much return on investment.

My final thoughts are yes, certification is here to stay and we will stay on some of these programs that work for us in our market. We hope that this will set us apart from our competition on certain brands. We will need to market our certifications and training to get a return on our investment.

I will say I'm proud of the fact that our shop has achieved the highest level of training in I-Car and we will continue to pursue on-going education and training. I believe you will only see more pressure on shops to "Pay to Play".

I hope this article makes you think about your future. I really don't know if OEM certification is right for all. You may not need it to repair all makes and models, but I do know you won't be able to repair all makes and models if you are not on that particular OEM program. The programs are getting stricter with their requirements and some won't even sell you certain parts without being certified.

Make a business decision based on where you want your shop to be in the future. Determine what brands you want to specialize in and pursue them. Contact other shops that are your colleagues and ask them if these certification programs are working for them.

Below are some of the questions that you need to answer concerning OEM Certification.

- Do you currently have any certification in place?
- Do you feel that the automotive collision industry is heading in the direction of certified repair?
- Are you planning to pursue any certification programs for your shop?
- Is your shop ready for certification? (Training, equipment, etc.)
- If no, is it because you don't feel the need for certification, in your shop, to maintain your customers?
- OEM's will be recommending their certified collision repair shops. How do you plan on maintaining your current business model without certification?
- What plan do you have for the future of your shop if you don't pursue certification?
- Do you feel that consumers will bring their vehicles to these certified shops based on the manufacturer's recommendation?

Submitted by

Tony Ferraiolo – A&R Body Specialty – Wallingford

ABAC Immediate Past President



FCA Certified Collision Care Program Elevates the Focus on Proper Repairs



Autobody News recently reached out to Fiat Chrysler Automobiles (FCA) to learn more about the FCA U.S. LLC Certified Collision Repair Program and the role of Assured Performance Network.

FCA shared highlights about the program as well as the type of training offered and how body shops can find out more information.

1. Can you please tell us what prompted Fiat Chrysler Automobiles to establish the FCA Certified Collision Care Program?

A: In 2011, we recognized the importance of assisting our Chrysler, Dodge, Jeep®, Ram and Fiat customers through every stage of the ownership cycle, including the unfortunate occurrence of an accident. With vehicles that feature ever-increasing levels of technology and complexity, it was important to offer customers a network to turn to for safe and proper collision repair. In July 2012, we launched the FCA U.S. LLC Certified Collision Repair Program. It is the first OE certification program managed through Assured Performance Network, the largest OE certification group in the U.S. We currently have 1,847 shops that are part of the program.

2. What is the role of Assured Performance Network?

A: Assured Performance Network facilitates the program on behalf of FCA and certifies that shops have the right tools, equipment, training and modified facilities to be able to provide a proper repair.

3. What are some of the highlights you would like to share with collision repairers and others in the industry about the program?

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A: Mopar, established in 1937, is the official service, parts and customer care brand for FCA U.S. vehicles — Chrysler, Dodge, Jeep®, Ram and Fiat. Mopar's top priority is to deliver owners the confidence and peace of mind that comes through repairs made at an FCA certified body shop with the use of OEM replacement parts. Our program seeks to be a convenient OE partner for repair centers while requiring industry-leading adherence to OE repair methods.

For example, FCA has developed a list of the necessary equipment that is driven more on capability specifications rather than specific brand name tools.

For all of our vehicle owners, Mopar is there every step of the way on their customer journey, and that includes safe and proper collision repair through a trusted network.

4. What are the benefits of being part of the certified program?

A: Participation in the program elevates the focus on proper repairs. Through our partner network, we are able to require repair methods and training levels that only about 10-15 percent of the industry can meet, and we feel that's a great service for our customers.

Another benefit for our Chrysler, Dodge, Jeep®, Ram and Fiat owners is access to a network of shops where they can feel confident the focus is on safe and proper repair.

Our certified shops have the right tools in their toolbox to safely and properly repair vehicles to FCA standards and procedures.

FCA works closely with our shops to spread the word that they are part of our trusted network, and we feel this is another great benefit of our program. We host a certified shop locator on the Mopar owner website and the owner mobile app. We also partner with certified shops to offer customized mailers to Chrysler, Dodge, Jeep®, Ram and Fiat vehicle owners in certain zip code proximity to their locations.

5. What type of training is offered for certified shops?

A: For 2019, we have continued to invest in both web-based and in-person training on how to correctly repair, scan and recalibrate FCA vehicles. We are taking a closer look at our network's performance/capabilities and ensuring we have the right shops in the network for our customer experience.

6. How can collision repair facilities find out more details about the program?

A: For more information on the FCA U.S. LLC Certified Collision Repair Program, visit <http://www.certify-myshop.com/fca>.

For more information about Assured Performance Network, visit <https://www.assuredperformance.net/>.

Source: www.autobodynews.com - Written by Stacey Phillips

ABAC Meeting Features OEM Certification

Shop Owners Get a Close Look at GM's Collision Repair Network

Another packed house as ABAC President Bob Amendola opened the evening by thanking everyone in attendance for their support, not only for this event, but for the solidarity members have shown as the ABAC continues to grow.

He then recognized the sponsors for the meeting:

Tasca Parts Center

Paul Francis & Company

Kent Automotive

Enterprise

One of the first mentions of the evening is concern throughout the industry about hearing that LKQ will be selling remanufactured suspensions in certain areas of the country. This should be a concern for all repairers.



Bob then brought up another issue affecting area shops. "I have a concern locally which is that IAnet – "Accurate Nationwide Appraisals" (an independent insurance appraisal firm) is not leaving estimates and according to The Conduct of Motor Vehicle Physical Damage Appraisers Regulations §38a-790-4, the appraiser must leave an estimate. What we've started to see is that after the appraiser leaves our shop, several days later we get the appraisal by email and guess what? It's less. It then takes a phone call to IAnet to get the correct appraisal. Make the appraiser leave an estimate," says Amendola

After Bob's opening remarks, the meeting then moved to the ABAC Election of Officers. Treasurer Mike Wilkowski presented this year's slate of candidates:

- Bob Amendola – President
- Ashley Burzinski – Vice President
- Mike Wilkowski – Treasurer
- Mark Wilkowski – Secretary

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The vote was approved and carried and the 2019-2020 ABAC Officers were all voted in to serve another year. Congratulations to all!

At the podium, Immediate Past President Tony Ferraiolo let everyone know that the Conduct of Motor Vehicle Physical Damage Appraisers Regulations was available for all to take a copy with them to keep on hand at their business. Said Ferraiolo, "We need to hold appraisers accountable for their actions. The list (of regulations) is plain and simple. The problem is that these regulations are not being enforced. The ABAC will be contacting the Department of Insurance for enforcement." Tony then covered each of the regulations with attendees. **(See Regs on Page 12)**



Ferraiolo also reinforced information that was recently printed in the ABAC News. "Last meeting we had a panel discussion and all of that information is covered in the ABAC News. I highly recommend that you read it! I've been told that some shops have already begun implementing some of the ideas from that meeting and have had immediate success. There's nothing wrong with sharing information. The time is now to really reflect on what you're going to do in and for the future of your business," said Ferraiolo.

Tony then continued with scanning, reimbursement for repair costs, getting paid for work you've performed and more.

At each table there were forms to fill out and Amendola asked attendees to write down ideas and topics for future meetings. "The ABAC Officers and its Board of Directors want to make sure that all of our members have a voice and we want to hear from you. We want to know what our members are thinking and if you have anything to add on these subjects or topics that you would like to discuss, please send them to our Administrative Director, Heather Romaniello at abacadmin.heather@gmail.com

We then heard from Luis Camacho, Automotive Technology Instructor from W.F. Kaynor Technical High School in Waterbury, CT. "The ABAC helps guide us in the direction of what they do. We ask for volunteers to become members of the advisory committee. Attending the two meetings each year will help greatly on what the school should be teaching. One of the ABAC's meetings was about Pre and Post Scanning which guided the school to purchase the proper equipment to perform these tests. We will be having a Career Fair next year and would welcome the support of the Auto Body Association of Connecticut," said Camacho.



After dinner, we welcomed Jeff Shaw, Field Manager for General Motors.

Shaw welcomed everyone for their interest and their time. "This presentation isn't for me. This is for all of you," said Shaw. "This is for your businesses, your future, your opportunities. GM spends millions of dollars designing, prototyping with clay, developing, crashing, testing, diagnosing and analyzing their automobiles. How many cars has Allstate built?

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Do you think Allstate has a better opinion on how to repair a vehicle? Better than GM designers? Better than all of you here? No.” Shaw then gave us a presentation covering all of the technology that is not only already here, but what is coming within the next five years. “It’s mind boggling,” says Shaw.

Complete, accurate and up-to-date procedures are available to the market through the following means:

Collision Repair Network facilities have complete access to GM Service Information (GMSi) through their Mitchell subscription

Repair Professionals can also gain access to GMSi as well as TIS2Web (for vehicle calibration) via <https://www.acdelco.com/for-professionals/shop-tools.html>

Customers turn to you when it’s time to repair their General Motors vehicles. And now, you can back up your business with the strength of General Motors by becoming part of the GM Collision Repair Network. We’ve developed this program to provide tools and information that help promote proper, safe repairs of GM vehicles.

The program incorporates performance measurements on pre- and post-repair scans, usage of OEM repair procedures, completion of recalibrations and quality-control checks.

The GM Collision Repair Network is designed to provide tools to assist in the delivery of a positive experience for those GM vehicle owners who require collision repair services. All participating facilities adhere to these core program values:

Powerful Support for Repairs

Gain access to the tools and information that help promote proper, safe repairs for your customers.

Ethical Business Practices

Conduct business in all interactions with customers, suppliers, employees, and the community in which we operate with integrity.

Exceptional Customer Care

Deliver the best possible customer experience with an objective of a delighted vehicle owner. Guide customers through the repair process with honesty and transparency.

The GM Collision Repair Network is designed as a comprehensive program that will evaluate several Key Performance Indicators (KPIs) that are not typically measured by other Original Equipment Manufacturer (OEM) collision certification programs today. The major difference the GM Collision Repair Network offers is that it will be metrics-driven and dynamic, meaning that the Dealer, MSO, or Independent Repair Facility will continuously undergo audit checks, ensuring that they maintain the proper requirements established for the GM Collision Repair Network program.

The GM Collision Repair Network will measure Dealer, MSO and Independent Repair Facility practices such as ensuring technicians are completing the proper training requirements, performing pre- and post-repair scans, pulling and using OEM repair procedures, performing the necessary recalibrations and conducting quality-control checks.

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Mitchell is responsible for managing enrollment and reporting capabilities as it relates to the program KPIs and site audits which will include:

- Required tools and equipment
- Utilization of GM Repair Procedures
- Required Pro-Level 2 Technician ICAR Training
- Submitting Repair Information
- Mitchell Cloud Estimating Platform
- Pre-Scan / Calibration / Post Scan on all vehicles
- Compliance audits
- Customer Satisfaction Index

Benefits of the GM Collision Repair Network include:

- Listing on the GM Collision Repair Network locator as a repair facility that meets or exceeds GM collision repair requirements in terms of capabilities and facility readiness
- Recognition for adhering to high-quality program standards that focus on proper and safe repair
- Capture more customers involved in a total-loss
- Support for estimating and repair planning
- Cut research time with integrated repair procedures accessible to all
- Cloud based documentation available to all stakeholders—including insurers—to support the correct repair process

The My GM Partner Perks loyalty program provides GM Collision Repair Network Independent Repair Facilities with exclusive benefits that extend beyond just redeemable points to include national marketing support, training resources and business tools that can help drive profitability, productivity and, most importantly, your bottom line.

Speaking next was Ed Rachwal, President of Designer Office Systems, Inc. (DOS) Ed discussed the relationship that his company has with GM's Collision Repair Network. Designer Office Systems has been the Mitchell Dealer for New England for 30 years. Ed presented everyone with solutions to help in their collision repair centers. DOS also provides Computer and IT Solutions including Hardware, Backup, Remote Access, Security, and Remote Support. They also offer Mitchell Cloud Estimating which is completely internet based. You just need a browser. It also runs on a Mac or a Smart Phone and you can export EMS or BMS but you would need a Windows Platform. For more information, contact Ed at 508-278-7839

The evening ended with a 50/50 Raffle along with several gift cards provided by the Auto Body Association of Connecticut. The ABAC would like you all to consider becoming a member of this strong association. Just by attending these meeting you will offset the cost of a yearly membership.

"In unity there is strength. In knowledge there is power."

The Conduct of Motor Vehicle Physical Damage Appraisers

Section

38a-790-1 Definitions

38a-790-2 Display of license

38a-790-3 Agreement on repair price

38a-790-4 Copy of appraisal left with repair shop

38a-790-5 Competitive Estimates

38a-790-6 Appraiser not to request specific shop

38a-790-7 Reinspection on request for supplementary allowances

38a-790-8 Code of Ethics

§38a-790-1 Definitions

As used in Sections 38a-790-2 to 38a-790-8, inclusive: (1) "Appraiser" means a motor vehicle physical damage appraiser licensed under the provisions of Section 38a-790 of the 1969 supplement to the general statutes; (2) "repair shop" means any location licensed by the motor vehicle department under Section 14-52 of said supplement except a "limited repairer".

(Effective September 25, 1992)

§38a-790-2 Display of License

Each appraiser while engaged in appraisal duties, shall carry the licenser issued to him by the Insurance Department and shall display it, upon request, to an owner whose vehicle is being inspected, to the repair shop representative involved or to any authorized representative of the Insurance Department.

(Effective September 25, 1992)

§38a-790-3 Agreement on repair price

An appraiser may agree on a price for repairing a damaged motor vehicle only with a repair shop, as so defined, unless the damaged vehicle is located and will be repaired outside of the State of Connecticut.

(Effective September 25, 1992)

§38a-790-4 Copy of appraisal left with repair shop

The appraiser shall leave a legible copy of his appraisal with the repair shop selected to make the repairs, which appraisal shall contain the name of the insurance company ordering it, if any, the insurance file number, the number of the appraiser's license and the proper identification number of the vehicle being inspected. All unrelated or old damage should be clearly indicated on the appraisal.

(Effective September 25, 1992)

§ 38a-790-5 Competitive estimates

If the appraiser and the repair shop fail to agree on a price for repairs, the appraiser shall not obtain a competitive estimate from another repair shop unless the owner of such other shop, or his authorized agent, has inspected the vehicle. No such competitive estimates shall be obtained by the use of photographs, telephone calls or in any manner other than a personal inspection.

(Effective September 25, 1992)

§38a-790-6 Appraiser not to request specified shop

No appraiser shall request that appraisals or repairs be made in a specific repair shop or shops.

(Effective September 25, 1992)

§38a-790-7 Reinspection on request for supplementary allowances

Every appraiser shall reinspect damaged vehicles when supplementary allowances are requested by repair shops.

(Effective September 25, 1992)

§38a-790-8 Code of ethics

Every appraiser shall: (1) Conduct himself in such a manner as to inspire public confidence by fair and honorable dealings; (2) approach the appraisal of damaged property without prejudice against, or favoritism toward, any party involved in order to make fair and impartial appraisals; (3) disregard any efforts on the part of others to influence his judgment in the interest of the parties involved; (4) prepare an independent appraisal of damage.

No appraiser shall: (A) Receive directly or indirectly any gratuity or other consideration in connection with his appraisal services from any person except his employer or, if self-employed, his customer; (B) traffic in automobile salvage if such salvage is obtained in any way as a result of appraisal services rendered by him.

(Effective September 25, 1992)



Auto Body Association of Connecticut



COLLISION
REPAIR NETWORK

General Motors Collision Repair Network CORE Requirements:

General Business Requirements

REPAIR FACILITY MUST:

- ☐ 1. Be in business for a minimum of (5) years, or possess verifiable credit rating and service history
- ☐ 2. Provide proof of garage keepers liability insurance with a minimum of \$1M policy limits
- ☐ 3. Provide customers with a Limited Lifetime Warranty

Customer Service Requirements

REPAIR FACILITY MUST:

- ☐ 1. Measure customer satisfaction through a third-party service provider
- ☐ 2. Utilize a preferred rental car provider or provide complimentary customer transportation
- ☐ 3. Detail vehicle both inside and out before delivery to customer
- ☐ 4. Maintain well-lit, clean customer parking
- ☐ 5. Maintain professional/clean reception, waiting, and restroom areas

Technical Training & Equipment Requirements

REPAIR FACILITY MUST:

- ☐ 1. Maintain a representative that meets the requirements of I-CAR Pro-Level II and training in the following areas:

Role

Technician

Estimator: _____

Non-Structural: _____

- ☐ WCS03 Steel GMA MIG Welding class
- ☐ SPS05 Steel Sectioning class

Steel Structural: _____

- ☐ SPS05 Steel Sectioning class
- ☐ BRZ01E MIG Brazing Theory
- ☐ BRZ02 MIG Brazing Hands-on skill

Refinishing: _____

- ☐ 2. Subscribe to Mitchell Cloud Estimating and General Motors Service information and provide documented proof of compliance
- ☐ 3. Utilize an electronic three-dimensional vehicle measuring system and provide pre & post repair documentation
- ☐ 4. Utilize an R134a and R1234YF refrigerant recovery/recycling system or show proof of a qualified sublet provider
- ☐ 5. Ability to perform and verify four-wheel alignment either in-house or through a sublet provider

Technical Training & Equipment Requirements(Cont.)

REPAIR FACILITY MUST:

- ☐ 6. Have the capability to perform mechanical operations including R&I/R&R steering, suspension, braking, HVAC, electrical, engine, and drive train assemblies
- ☐ 7. Have the ability to perform pre/post repair vehicle system diagnostics/scans/calibrations and ability to provide documentation of such.
- ☐ 8. Utilize a General Motors approved refinishing system as outlined in GMW15406 Globally Approved Refinish Materials and provide proof of product training
- ☐ 9. Utilize an enclosed spray booth and drying equipment as specified by the approved refinishing system being used
- ☐ 10. Compliance with local regulations for storage, mixing and application of approved General Motors Refinishing system
- ☐ 11. Have a two-post lift with a lifting capacity of at least 7,000 lbs.
- ☐ 12. Perform test welds/destructive tests of welds prior to engaging repairs on vehicle as prescribed in I-CAR training
- ☐ 13. Utilize a Mil thickness gauge for plastic substrates as outlined in General Motors tool & equipment list
- ☐ 14. Rivet gun for setting structural blind rivets as outlined in General Motors tool & equipment list
- ☐ 15. Utilize a squeeze type Resistance Spot Welder as outlined in General Motors tool & equipment list
- ☐ 16. Utilize a MIG/MAG welder for steel fusion as outlined in General Motors tool & equipment list
- ☐ 17. Utilize a dent removal/pulling system with stud welder/pins, and pulling attachments
- ☐ 18. Utilize MIG welder with silicon-bronze MIG brazing capabilities as outlined in General Motors tool & equipment list

Aluminum Cosmetic Repair Requirements

REPAIR FACILITY MUST:

- ☐ 1. In addition to the General Technical Repair Capabilities technicians must have completed and hold certifications in the following:
 - ☐ I-CAR – APR01 Aluminum Exterior Panel Repair
 - ☐ I-CAR – WCA03 Aluminum GMA (MIG) welding certification
- ☐ 2. Provide a separate designated aluminum work area as outlined in General Motors tool & equipment list
- ☐ 3. Have a designated set of hand/specialized tools for aluminum to prevent cross contamination
- ☐ 4. Utilize a 220 Volt Pulse MIG welder for aluminum as outlined in General Motors tool & equipment list
- ☐ 5. Utilize an immersion type, wet mix dust extraction system or pneumatic vacuum system dedicated to aluminum as outlined in General Motors tool & equipment list
- ☐ 6. Utilize a dent extraction system specifically designed for aluminum as outlined in General Motors tool & equipment list

Understanding the Magnuson-Moss Warranty Act In the Context of Auto Body Repair.



At some point, you probably heard about the Magnuson-Moss Warranty Act. Or maybe an insurance company overzealously raised it as a basis for pushing imitation crash parts. While there is some applicability of this law to auto repair, it does not trump your duty to fix a vehicle safely and correctly; and introducing the wrong parts into a repair can cause a vehicle to malfunction or void a consumer's warranty.

The Magnuson-Moss Warranty Act (MMWA) is a federal law that passed in 1975 that regulates warranties on consumer products. (15 U.S.C. § 2301 et seq.) "Consumer products" means any tangible personal property which is distributed in commerce and which is normally used for personal, family, or household purposes. This includes automobiles.

The MMWA is periodically invoked in auto repair in the context of tie-in sales provisions. In general, tie-in sales provisions are prohibited. A tie-in sales provision requires a purchaser of a warranted product to buy a

particular item or service from a specified company to use with the warranted product in order to be eligible to receive the benefits of the warranty. For example, the following illustrates a prohibited tie-in sales provision:

In order to keep your new X Brand Lawnmower warranty in effect, you must use genuine X Brand Lawnmower Blades. Failure to have scheduled maintenance performed, at your expense, by the Y Maintenance Company, Inc., voids this warranty.

(Warranty Laws and the Magnuson-Moss Warranty Act, Findlaw, June 12, 2019).

Insurers have attempted to utilize this restriction as a basis for pushing imitation parts. The argument misses the point. As articulated by the Federal Trade Commission in a Consumer Alert from December 2010:

Simply using an aftermarket or recycled part does not void your warranty. The Magnuson-Moss Warranty Act makes it illegal for companies to void your warranty or deny coverage under the warranty simply because you used an aftermarket or recycled part.... Still, if it turns out that the aftermarket or recycled part was itself defective or wasn't installed correctly, and it causes damage to another part that is covered under the warranty, the manufacturer or dealer has the right to deny coverage for that part and charge you for any repairs. The FTC says the manufacturer or dealer must show that the aftermarket or recycled part caused the need for repairs before denying warranty coverage.

Thus, while there may be restriction on forcing consumer to utilize all OEM parts, for example, in order to keep one's warranty in tact, the prohibition has its limits.

What is more, tie-in sales provision may be waived by the Federal Trade Commission if the warrantor satisfies the Commission that the warranted product will function properly only if the article or service so identified is used in connection with the warranted product, and (2) the Commission finds that such a waiver is in the public interest.

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Utilization of imitation parts that will compromise the function and safety of a vehicle was not the intended purpose of this law; nor does the law call for such an outcome. If imitation crash parts are introduced into a vehicle and those imitation parts cause the vehicle not to function properly in the event of a crash or cause other parts in the vehicle to fail, that warranty would undoubtedly be voided.

At the end of the day, your duties and obligations to repair a vehicle safely and to the best of your ability remain tantamount. If an OEM part is necessary to fix the car correctly and safely, then that is what should be utilized. It is true that a manufacturer cannot condition its warranty on the exclusive use of OEM parts. But that doesn't mean that imitation parts should necessarily be used instead. The decision is yours as the licensed professional.

Have a great summer!

John M. Parese, Esq. is a Partner with the law firm of Buckley Wynne & Parese and serves as General Counsel to the ABAC. Buckley Wynne & Parese maintains offices in New Haven, Hartford and Stamford, and services clients throughout all of Connecticut. The opinions set forth in Attorney Parese's articles are for education and entertainment purposes only, and should not be construed as legal advice or legally binding. If you have any questions or concerns about the content of this or any of Attorney Parese's articles, you are encouraged to contact Attorney Parese directly.

Name That Car Contest!

What Classic Car Is This??

Send Your Answer to

abacnews13@gmail.com

On July 31st, we will choose a winner
from all of the correct answers

Winner will receive a \$200.00 Visa Gift Card
One Entry per person, please!



**We had many correct
answers on this one!
We chose from all the
correct answers.**

**Congratulations to
Danbury Auto Body**

**The correct answer is a 1932
Ford Woody Wagon**



Social Media Update!



We're excited to report that we are closing in on 4k followers on Facebook and 700 on Instagram!

We've been boosting content and running paid advertisements to try to reach as many new followers as possible. Our message remains the same and we are continuing full steam ahead to spread education and awareness to the motoring public.

If you visit our page and select the video tab, you will find a series of videos we released. We highly recommend sharing them to your own pages as they are funny, informative and directed towards consumers. As we enter the summer months, we have a special series of posts scheduled. Make sure you're following along and sharing our content, you won't want to miss out!

P.S. On Facebook, boosting posts and paid advertisements are both extremely cost effective approaches. Not only are they both simple and convenient, but they allow you to set your own budget, ad duration and audience.

They are completely customizable to cater to you and your goals. Paid advertisements are a great tool to jumpstart your page and start to build a following. The boost feature is used when you want to promote a post from your page. This is an important tool to use to ensure that your content is actually reaching your followers.

You can even start with just \$5, give it a try!

Submitted by Ashley Burzenski - ABAC Vice-President



Auto Body Association of Connecticut Continues Consumer Involvement by Sponsoring several “Survive the Drive” Presentations



What is Survive the Drive?

At 17 years old, on a snowy night, Bob Green crawled out of the crushed and mangled wreckage of his father's car unscathed. Tough lesson, lucky kid. During his high school years four other kids were not as lucky. Later, as a high school teacher, Bob saw that the story was happening the same for even more unwary drivers.

In 1996, as a professional instructor with the Skip Barber Racing School, Bob initiated “Crashing is a Bummer” as a local community service for Skip's school in Northwest Connecticut. Survive the Drive was later formed (2002) as an independent, not-for-profit educational service.

Survive the Drive introduced “Behind the Wheel” Defensive Drive Training in the summer of 2015. The pilot event was enthusiastically received by individuals, parents and their teens. The course offers a hands-on defensive driver training course demonstrating crash avoidance maneuvers, skid capability, vehicle control, braking techniques and new car autonomous technologies. The safety program is conducted in a closed course circuit.

They educate drivers face-to-face to help them understand the responsibilities that go along with using a set of car keys.

Their multi-media presentation focuses on the detrimental activity of texting, speeding, drinking, phoning and any other activities that impair driver consciousness.



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Defensive driver training courses have been proven to reduce the number of traffic violations and fatalities across the U.S.

For most young persons driving is the first time in their lives where mistakes can result in very profound consequences. We would like to help more survive. Our preventive tools are the facts, education, and training—no grief, sorrow or threats: a lesson learned in time.

Survive the Drive is located in Lakeville, Connecticut—right next to the Lime Rock Park racetrack

125 White Hollow Road
Lakeville, Connecticut 06039

For more information: General Inquiries, Booking

Lori Zaharek Demaraies
Marketing Director
loriz@survivethedrive.org
(860) 806-3042



Survive the Drive®
"Your Best Behind the Wheel"

Honda OK's 2 new higher-strength welding wires for collision repair



Honda announced this month it had approved two new welding wires for repairs of higher-strength steel on its vehicles.

The 0.8 mm (0.030-inch) Titan Technology EQ-5029X96, supplied by Equip Automotive, and Washington Alloy Eagle-Arc 980X — which Honda says should be on sale “at most welding supply locations” — have been deemed acceptable for welds of metals 590 megapascals or more.

They join the Bosch DS980J wire, which has been discontinued but still can be used if you have some, and its replacement

0.8 mm Bohler Union X96 wire in the portfolio deemed acceptable by Honda for higher-strength steel work.

Only Pro Spot and the Honda Tool and Equipment Program (Honda Snap-on) sell Bohler X96, Honda said.

Honda warned repairers in 2016 to be on guard for knockoff versions of the Bosch and Bohler wire. Shops will want to continue to stick to authorized supply channels of both these and the newly approved wires rather than risk their customer and reputation on an unproven or gray-market spool.

You need the stronger wire to avoid a situation where the weld is weaker than the metal it's joining. Your typical ER70S-6 welding wire is 70 ksi (70,000 pounds per square-inch), according to Honda. This only works out to about 482.63 MPa of tensile strength — stronger than 440 MPa steel but weaker than a 590 MPa piece of the metal.

Honda in 2016 gave the example of welding two pieces of 780 MPa steel. ER70S-6 wire nearly 300 MPa weaker could cause the weld itself to fail. Using higher-strength wire means the weld holds and the heat-affected zone of the substrate fails instead — the outcome Honda expects during a subsequent collision.

Honda only permits MAG plug and butt welding in general on steels up to 780 MPa, but “butt welds on 780 MPa steel must be done as quickly as possible, while maintaining adequate penetration” to prevent an unacceptable heat-affected zone, the OEM wrote in a 2017 Body Repair News.

At 980 MPa, only MAG plug welding is acceptable, Honda wrote in the Body Repair News. The OEM said it occasionally will in repair procedures allow MAG plug welding on 1,500 MPa steels — but implied these are exceptions rather than the rule and aren't permitted unless explicitly mentioned.

In that vein, follow the specific OEM repair procedures for the Honda or Acura before you — the Body Repair News documents aren't intended to be substitutes for the actual manuals.

Source: www.RepairerDrivenNews.com - Article by John Huetter

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