Advisory Group Creates New Educational Notice for ARDs
Pilot Began June 15th

The Bureau of Automotive Repair (BAR) Advisory Group, responding to a request by industry leaders for written notifications to automotive repair shop owners, has created a new “Advisory Notice.” The notice alerts automotive repair shop owners that they and their employees need to review Automotive Repair Act and/or Smog Check laws and regulations.

The BAR Advisory Group is comprised of industry representatives, educators, independent station owners and consumer groups. Thanks to the hard work of the Advisory Group, BAR has initiated the new “Advisory Notice” program. Following a recommendation by Marty Keller, Executive Director of the California Automotive Repair Coalition, the Advisory Group agreed to begin the new

This is one of those win-win situations for both small business and consumers.
— Jack Molodanof

“Advisory Notices” under a six-month pilot program. The program began June 15th. You can see a sample of the notice on page 3.

“This is one of those win-win situations for both small business and consumers,” said Jack Molodanof, General Counsel for the California Autobody Association and the California AAMCO Dealers Association.

The new “Advisory Notice” will be provided to the responsible managing employee of a repair shop and mailed

New Advisory Notice
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Legislative Review of Bureau Nearly Complete

Legislation has been introduced that, if passed, will implement a series of recommendations proposed by the Joint Committee on Boards, Commissions, and Consumer Protection. That legislation is the next step in the Bureau’s legislative review.

The committee, formerly known as the Joint Legislative Sunset Review Committee, examines and evaluates all consumer boards and specified programs under the Department of Consumer Affairs (DCA). The committee works to assure that DCA programs are carrying out their primary mission

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to the shop owner when BAR field staff determine that shop personnel need additional education about particular laws and regulations.

The “Advisory Notice” will be issued when it appears that certain procedures and regulations aren’t being followed. The notice replaces the verbal process of alerting the shop manager only.

“Shop management still felt they needed an effective management tool that would be sent to licensees of BAR for managing the performance of their employees and themselves,” said Dennis DeCota, Executive Director, California Service Station and Automotive Repair Association (CSSARA). “There was a desire for some type of official process from BAR without the danger of being sued because of a minor infraction of the Automotive Repair Act.”

BAR says the “Advisory Notice” will be accompanied by a cover letter explaining the document and seeking the repair shop owner’s input if their shop receives one during the six-month pilot.

The pilot program will run through December 15, 2004. During March, informational meetings were held with interested industry members and the public to explain the program and answer questions. At those meetings, a number of shop owners told BAR they preferred the verbal warnings that were being given by BAR field staff. At that point, BAR and its Advisory Group agreed that the pilot program would move ahead. However, during the pilot, receiving the advisory notice is optional.

“The BAR Advisory Group has developed the ‘Advisory Notice’ to inform shop owners about compliance issues,” said Brian Maas, of the California Motor Car Dealers Association. “These new notices will give car dealers and other ARDs the information they need to correct problems before they warrant any formal disciplinary action.”

The Advisory Group worked on the Advisory Notices for a few months during a series of meetings, emails and other correspondence.

“The creation of the Advisory Notice is the result of the successful cooperation between BAR, industry and consumer groups, and demonstrates the similarities and mutuality of goals,” said Lou Anapolsky, California Midas Dealers Association.

“CSSARA appreciates the hard work that the BAR’s management has done in working with industry on this very important issue,” added DeCota.

“The Bureau is to be commended for working hard with consumer groups and the auto repair industry to reach a reasonable compromise that will serve to alert repair shops when there is a minor problem that needs to be addressed, before it becomes a more serious problem,” said Rosemary Shahan, Consumers for Auto Reliability and Safety.

**MISSION STATEMENT**
- To stop unlawful or unfair automotive repair practices and to assist victims of such practices.
- To remain on the leading edge of technology in order to better protect the motoring public.
- To improve air quality through proper inspection, maintenance, diagnosis and repair of motor vehicles.
- To equip Californians to make sound decisions about the inspection, maintenance and/or repair of their vehicles.

**VISION STATEMENT**
- BAR will be easily accessible to all Californians and will set the standard for innovation and quality consumer service.
- BAR will be recognized as a world leader in consumer protection and in air quality improvement.
- BAR will be recognized as a consistent and unbiased enforcer of its laws and regulations.
### Business/Licensee Name  
Registration/License #  
Owner of Record  
Registration/License Expiration Date  
Street Address  
Business/Licensee Telephone #  
City, State, Zip  

#### TRANSACTION INFORMATION

Transaction Date:  
Invoice/Repair Order #:  

### APPLICABLE LAWS AND REGULATIONS

Business & Professions Code:  
Health & Safety Code:  
California Code of Regulations:  

### ABOUT THIS ADVISORY NOTICE

This Advisory Notice is provided to you as a courtesy. Its purpose is to advise and educate the Automotive Repair Dealer regarding applicable laws and/or regulations within the jurisdiction of the Department of Consumer Affairs, Bureau of Automotive Repair (DCA/BAR).

The information contained in this Advisory Notice is exclusively for the use of DCA/BAR and the Automotive Repair Dealer. The information contained herein does not constitute specific findings intended to support any legal action taken by any person or entity not associated with DCA/BAR.

If you have any questions or concerns that cannot be addressed by the DCA/BAR Representative who provided you with this notice, please contact the DCA/BAR Field Office Supervisor identified below. The Field Office Supervisor can also help you in scheduling an educational presentation to you and your staff.

---

**DCA/BAR Representative Name**  
**DCA/BAR Representative Signature**  
**Date**

**DCA/BAR Field Office Supervisor Name**  
**Telephone #**

**Registrant/Licensee Representative Name**  
**Signature Acknowledging Receipt**  
**Date**

Distribution: Original to BAR; Copy to Registrant/Licensee Representative; Copy to Registrant/Licensee Owner of Record.
Australians Say G’day for a Visit

Two executives from a leading insurance company “down under” recently visited the Bureau of Automotive Repair headquarters in Sacramento to get the lowdown on enforcement, inspection and Smog Check programs.

Craig Cooley, National Technical Manager, and Frank Peppard, Manager, Corporate Affairs, for Australian Associated Motor Insurers Limited (AAMI Limited), one of Australia’s largest direct auto and home insurers, met with BAR staff in February.

The AAMI execs are interested in the Bureau’s enforcement processes, its pilot auto body reinspection program and the Smog Check program. They were taken on a tour through BAR’s Sacramento Vehicle Documentation Lab and shown the various inspection and enforcement processes and programs. The AAMI representatives were provided with a copy of BAR’s autobody parts study, Sunset Review Report, reinspection program report, Autobody Write it Right booklet, and BAR laws and regulations.

Peppard and Cooley said they believed an entity such as BAR would serve to enhance the vehicle repair and insurance industry in Australia.

BAR Advisory Group Meetings Open to Public

This issue of Repair Reporter highlights important work done by BAR's Advisory Group.

The group was established by the Department of Consumer Affairs and BAR in 2001 to increase the level of communication between BAR, the automotive repair industry, and consumers.

The group is balanced to represent consumer, industry, educational and environmental interests. An informal assembly, the advisory group meets quarterly to provide input to the Chief on BAR program issues.

The meetings are open to the public. Please check out locations and agendas on BAR’s Web site at www.autorepair.ca.gov.

During their recent visit, Craig Cooley, National Technical Manager, at left, and Frank Peppard, Manager, Corporate Affairs, center, of Australian Associated Motor Insurers Limited, talk to BAR’s Allen Wood, Program Manager for Auto Repair Field Operations & Enforcement.
Gary Hunter Retires from Bureau

It’s the end of an era for California’s Smog Check Program. After almost 35 years in the environmental and consumer protection arenas, Gary Hunter is retiring from the Bureau of Automotive Repair (BAR).

He most recently served as Deputy Chief of Smog Check Engineering and Operations.

Hunter’s long history in the industry is evidenced by the fact that he holds the very first Smog Technician license ever issued in California. He is number EA000001. Hunter’s career began in 1968 when he worked as an automotive diagnostician conducting emission testing.

His tenure with BAR began initially in 1975 as manager of the Riverside Loaded Mode Emission Testing Program. After graduating from the University of Redlands, he took an engineering position in Sacramento, and then became a program manager of the statewide Blue Shield Motor Vehicle Pollution Control Program.

In 1985, Hunter took on the role of BAR’s chief of Administration and Engineering. He was promoted the following year to Chief of Field Operations and Compliance. Under his guidance, BAR became a model program for other state agencies in the area of consumer and environmental protection.

Hunter continued his environmental work with the Air Resources Board (ARB), after transferring there in 1991. He held various management positions, starting with the Program Review Section, where he conducted audits of air quality management districts. Then, as manager of ARB’s Compliance Assistance Program, he prepared compliance assistance engineering manuals. Finally, he managed ARB’s Strategic Environmental Investigative Group, enforcing air quality laws. Hunter returned to BAR in 2000.

Everyone at BAR thanks Gary for his years of tremendous dedication and service and wish him a happy retirement.

Update on Industry Ombudsman

The Bureau of Automotive Repair’s (BAR) Industry Ombudsman is proving to be a valuable link between auto repair dealers, Smog Check licensees, automotive associations and BAR.

In the first nine months, the Industry Ombudsman has received more than 315 phone calls and e-mails from shop owners and technicians who have questions or concerns regarding BAR. Most phone calls and e-mails are regarding laws, regulations or enforcement actions.

“BAR takes all concerns seriously,” says Alice Scott, Deputy Director, Department of Consumer Affairs’ Consumer Relations and Outreach Division. The Industry Ombudsman position is independent of BAR management, and reports to the DCA Executive Office.

“The Industry Ombudsman is available to help resolve misunderstandings that may arise between station owners and BAR,” says Scott. “Because the Industry Ombudsman works independently of BAR management, concerns receive an independent, complete and speedy review.”

The Industry Ombudsman assists station owners and licensees who have questions about BAR field visits, BAR representatives, license renewals and applications, equipment manufacturers and software providers.

When a telephone call or e-mail comes in, Industry Ombudsman Rick Fong interviews the person for details and begins research by talking to all parties involved. He then works toward resolving the issue or connecting the person with someone at BAR who can help.

In addition to his work with individual licensees, the Industry Ombudsman reaches out to industry and shop owners through meetings and events.

“The response I’ve gotten from those who have reached out to me has been very positive,” Fong says.

He can be reached with questions and comments at (916) 255-2893, or via e-mail at BAR_Ombudsman@dca.ca.gov.
Help Your Customers Flex Their Power at the Pump

Governor Schwarzenegger is putting the call out to all California businesses and government offices to “commit to a series of actions that will reduce fuel use.”

On May 26th the Governor kicked off the new “Flex Your Power at the Pump” education campaign. As an extension of the highly successful, ongoing “Flex Your Power” energy efficiency campaign, “Flex Your Power at the Pump” encourages Californians to conserve fuel, save money and protect the environment by taking simple conservation measures.

In an e-mail sent recently to California’s state workforce, Governor Schwarzenegger asked individuals to lead by example.

“Together, we can ‘flex our power at the pump’ to conserve gasoline, save money, help the economy and the environment,” said Governor Schwarzenegger. “We can keep California rolling by making common sense changes in the ways we use fuel.”

Following the “Flex Your Power at the Pump” program, Californians can save up to 15 percent on fuel costs by doing just the first three actions listed below to their organizations’ auto fleets or individual trucks, buses, and automobiles:

- Keep your tires inflated to the recommended pressure.
- Use your air conditioning sparingly.
- Observe posted speed limits, accelerate smoothly and brake gradually. It’s safer and saves gas.
- Properly maintain your vehicle and replace your air and oil filters as recommended.
- Minimize the amount of time your vehicle idles.

A growing number of organizations and government offices have voluntarily committed to “flex their power at the pump” and help the state cuts its gasoline usage. These entities have agreed to conserve fuel this summer through adoption of fuel-efficient operations for their businesses, such as properly maintaining fleet vehicles and reducing the number of driving trips for employees.

They have also committed to helping the campaign educate employees and the public on gasoline conservation by displaying Flex Your Power at the Pump lobby signs, posters, and flyers and distributing e-mails, memos, newsletters, and articles. Many have linked their site to Flex Your Power’s (www.fypower.org).

Your business can also step up to the challenge – it’s easy. Begin by filling out the “Declaration of Action” on Page 7 of the Repair Reporter and fax it to (415) 775-4159. For more information, visit www.fypower.org or call Leanne Hoadley at (415) 775-1931 ext. 314.

Together, we can ‘flex our power at the pump’ to conserve gasoline, save money, help the economy and the environment. We can keep California rolling by making common sense changes in the ways we use fuel.

— Governor Arnold Schwarzenegger

“
Yes, our company will participate in the campaign by supporting the following:

**Step One: Adopt Fuel-efficient Operations**
Take immediate no- and low-cost conservation measures:
1. Properly maintain fleet vehicles.
   a. Keep tires inflated to the recommended pressure.
   b. Change air filters and get regular tune-ups.
2. Support fuel-efficient policies.
   a. Encourage ridesharing and use of public transportation and bicycles.
   b. Arrange flexible schedules to reduce rush hour idling.
   c. Encourage employees to combine multiple out-of-office errands and trips.
   d. Establish a fuel-efficient-vehicle procurement policy.
   e. Establish a fuel-efficient replacement-tires policy.

**Step Two: Educate Employees**
Communicate gasoline conservation information to employees by displaying and distributing Flex Your Power educational materials (including linking to FYPower.org). Messages should include:
1. Keep your tires inflated to the recommended pressure.
2. Use your air conditioning selectively.
3. Observe the posted speed limits. It’s safer and saves gas.
4. Accelerate smoothly and brake gradually. It’s safer and uses less gas.
5. Properly maintain your vehicle and replace your air and oil filters as recommended.
6. Minimize the amount of time your vehicle idles.

**Step Three: Educate the Public**
1. Educate the public through materials and signage, websites, newsletters, and articles.
2. Participate in Flex Your Power...at the Pump® events.
3. Help recruit partners to join the campaign.

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**Name**

**Address**

**Title**

**City**

**Company**

**State/Zip**

**Telephone**

**Fax**

**Email**

**Energy Efficiency Contact - for follow-up**

**Signature**

**Date**

Please fax back your Declaration for Action. For more information, go to: www.fypower.org
of protecting the public against incompetent, negligent, fraudulent, deceptive, or other unscrupulous or illegal acts, and providing for improved and effective service to consumers and licensees.

“The Bureau of Automotive Repair (BAR) wants to thank all members of the industry and industry organizations who took the time to participate in the committee’s review,” said James Goldstene, BAR Interim Chief. “We look forward to working together in order to implement the committee’s recommendations.”

The committee made five recommendations, some of which may be implemented through its sunset review bill, Senate Bill (SB) 1542.

One of the foremost recommendations of the committee is the establishment of an administration and enforcement monitor within the BAR. The recommendation proposes that this monitor research, evaluate and analyze the need for, and/or feasibility of:

- BAR’s disciplinary systems and procedures, with specific concentration on improving the overall efficiency and assuring the fairness of the enforcement program
- The accessibility, fairness, and independence of the appeals process for licensees and registrants
- The adequacy of expertise of bureau staff in accepted industry standards, practices, and the applicable state and federal laws.
- The effectiveness of the Bureau’s Industry Ombudsman and Advisory Committee

The Bureau of Automotive Repair (BAR) wants to thank all members of the industry and industry organizations who took the time to participate in the committee’s review. We look forward to working together in order to implement the committee’s recommendations.

— James Goldstene
BAR Interim Chief

The committee also recommended that the BAR Advisory Group and Industry Ombudsman be continued.

As highlighted in this and prior issues of the Repair Reporter, the BAR Advisory Group includes representatives from the auto repair and smog check industries, consumer organizations, and educational institutions. BAR leaders meet with its advisory group members on a quarterly basis to discuss the various issues involved in BAR’s implementation of the automotive repair act and the smog check program.

The Industry Ombudsman was implemented in the fall of 2003. The Industry Ombudsman hears specific concerns that auto repair and smog check industry members may have regarding the BAR and its programs.

The Industry Ombudsman reports his/her findings directly to the BAR Chief. The committee also recommended that the Industry Ombudsman remain independent, by administratively reporting to someone outside of the BAR.

The committee has already taken the necessary action to include the administration and enforcement monitor recommendation in SB 1542.

Field Office Moves

The BAR Canoga Park Field Office has moved to Valencia.

Valencia Field Office
27202 Turnberry Lane
Suite 250
Valencia, CA 91355
(661) 702-6600
The Bureau of Automotive Repair (BAR) is exempting Hybrid-Electric Vehicles (HEV) from biennial and change-of-ownership Smog Check inspections. A hybrid-electric vehicle is defined as any passenger vehicle, truck, or bus in any weight range that uses an electric motor as a primary part of its propulsion system, as well as an internal or external combustion engine.

The following HEVs are being exempted from inspections until January 1, 2010:
- Honda Insight – all model years
- Honda Civic Hybrid – all model years
- Toyota Prius – all model years

Some currently manufactured HEVs have not been designed to allow the internal combustion engine to operate in modes which would allow either loaded-mode or idle types of Smog Check testing. Before this exemption, these HEVs had to be directed to a referee station, which would verify their HEV status and then issue an exemption certificate.

“Our goal is to encourage the use of lower emission vehicles,” says Interim BAR Chief James Goldstene. “This exemption makes it easier for those who've made the choice to own a hybrid.”

BAR and DMV have recently automated the exemption process for all HEVs identified to BAR by the manufacturers. More HEVs will be added to the exemption list as information to identify these vehicles is received by BAR. Some owners of 2000 model-year HEVs may have already received a registration renewal notice from DMV before the exemption process was in place, and should contact the DMV field office in order to complete their registration without a Smog Check certificate.

You can learn more about HEVs by checking out BAR’s Web site at www.AutoRepair.ca.gov. Click on “What’s New”, then look for Current Events - Miscellaneous - Hybrid Electric Vehicles.
Disciplinary Actions — Effective December 2003

NORTHERN CALIFORNIA

AAMCO TRANSMISSION, Richmond
John R. Copenhaver, Owner
Order: ARD Registration revoked, stayed, suspended twenty-eight (28) days, and placed on probation for five years subject to the following terms and conditions. Comply with all laws and regulations, report to BAR on prescribed schedule, report any financial interest in any other repair facility, reimburse BAR for the costs of investigating and prosecuting the case in the amount of $30,000. (12/22/03)

ALLSTATE AUTOMOTIVE, Hayward
Tony Issa Elsousou, Owner
Order: ARD Registration revoked, stayed, suspended four (4) days, and placed on probation for three years subject to the following terms and conditions. Comply with all laws and regulations, report to BAR on prescribed schedule, report any financial interest in any other repair facility, and reimburse BAR for the costs of investigating and prosecuting the case in the amount of $4,500. (12/15/03)

FRANK’S ENGINEERING CLINIC, Berkeley
Wayne Young, President
Order: ARD Registration revoked, stayed, suspended fifteen (15) days, and placed on probation for three years subject to the following terms and conditions. Comply with all laws and regulations, report to BAR on prescribed schedule, report any financial interest in any other repair facility, and reimburse BAR for the costs of investigating and prosecuting the case in the amount of $20,000. (12/20/03)

M & M’S AUTO BODY & TOWING, Camino
Earl Wayne McCormick, Owner
Order: ARD Registration revoked, stayed, suspended fifteen (15) days, and placed on probation for three years subject to the following terms and conditions. Comply with all laws and regulations, report to BAR on prescribed schedule, report any financial interest in any other repair facility, reimburse BAR for the costs of investigating and prosecuting the case in the amount of $6,953, and pay restitution in the amount of $4,970.50. (12/1/03)

MARTIN’S MOBILE AUTOBODY & PAINT, Ceres
Kenneth D. Martin, Owner
Order: ARD Registration revoked. (12/4/03)

RULISON AUTO BODY INC., Fresno
Steven Rulison, President
Order: ARD Registration revoked, stayed, suspended for four (4) days, and placed on probation for three years subject to the following terms and conditions. Comply with all laws, report to BAR on prescribed schedule, report any financial interest in any other repair facility, reimburse BAR for the costs of investigating and prosecuting the case in the amount of $5,000, and pay restitution in the amount of $3,589.71. (12/1/03)

THE BRAKE SHOP, Fresno
Sako Sarkis Sabiljian, Owner
Order: ARD Registration revoked is revoked, stayed, and placed on probation for three years subject to the following terms and conditions. Comply with all laws, report to BAR on prescribed schedule, report any financial interest in any other repair facility, and reimburse BAR for the costs of investigating and prosecuting the case in the amount of $8,000. Smog Check Station License, Official Brake Station License, Official Lamp Station License, Advanced Emission Specialist Technician License, Lamp Adjuster License, and Brake Adjuster License issued to Sako Sabiljian are revoked. In addition, Advanced Emission Specialist Technician License, Lamp Adjuster License, and Brake Adjuster License issued to Guy Christopher Vuglia are revoked. (12/11/03)

SOUTHERN CALIFORNIA

BRAKE DEPOT, Santee
Jim Bates, Owner
Order: ARD Registration revoked. (12/18/03)

Disciplinary Actions continued on page 11
Disciplinary Actions continued from page 10

EUROPEAN IMPORTS CORP., Northridge
Dragi Ilic, President

Order: ARD Registration revoked, stayed, suspended for thirty (30) days, and placed on probation for three years subject to the following terms and conditions. Comply with all laws, report to BAR on prescribed schedule, report any financial interest in any other repair facility, reimburse BAR for the costs of investigating and prosecuting the case in the amount of $2,500, and pay restitution in the amount of $7,000. (12/15/03)

FIVE POINTS PAINT & BODY, Oxnard
Arturo Valadez, Owner

Order: ARD Registration revoked. (12/18/03)

HORNS AUTO CENTER, INC., Long Beach
Patrick H. Horn, President

Order: ARD Registration revoked as of February 2, 2004. (12/10/03)

INTERNATIONAL COLLISION SERVICE, Los Angeles
Monie J. Bolchand, President

Order: ARD Registration permanently invalidated. (12/4/03)

MARIO’S AUTO REPAIR, Perris
Mario E. Contreras, Owner

Order: ARD Registration revoked. (12/4/03)

ON TIME COLLISION CENTER, Covina & Upland
Martha Johnson, Owner

Order: ARD Registrations revoked. (12/4/03)

PACIFIC COLLISION CENTER OF FONTANA, Fontana
Hugo DeLaCruz, President

Order: ARD Registration revoked. (12/18/03)

WESELOH CHEVROLET CO., Carlsbad
Charles B. Weseloh, President

Order: ARD Registration revoked, stayed, suspended for one (1) day, and placed on probation for three years subject to the following terms and conditions. Comply with all laws, report to BAR on prescribed schedule, report any financial interest in any other repair facility, reimburse BAR for the costs of investigating and prosecuting the case in the amount of $9,500, and pay restitution in the amount of $1,264.07. (12/15/03)
BAR FIELD OFFICE PHONE NUMBERS
Bakersfield ........................................... (661) 833-6304
Culver City ........................................... (310) 410-0024
Fresno .................................................. (559) 445-5015
Oceanside ............................................ (760) 439-0942
Placentia .............................................. (714) 961-7940
Richmond ............................................. (510) 243-9410
Riverside .............................................. (909) 782-4250
Sacramento .......................................... (916) 255-4200
San Jose .............................................. (408) 277-1860
South El Monte .................................... (626) 575-6934
Valencia ............................................... (661) 702-6600

OTHER HELPFUL NUMBERS
DCA Consumer Information Center .... (800) 952-5210
BAR Licensing ............................... (916) 255-3145
ET Help Desk ................................. (866) 860-8509
Industry Ombudsman ...................... (916) 255-2893
MCI .................................................. (800) 731-SMOG
(Then, press “5” for technical support)
Referee Scheduling Center ............. (800) 622-7733
Parts Locator Service ....................... (800) 826-3566

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If you have news stories or other items you’d like to submit for publication in the *Repair Reporter*, please send them to:

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Sacramento, CA 95827