

From: Jack Molodanof
Sent: Friday, July 22, 2016 10:19 AM
Subject: BAR Advisory Committee Meeting & Workshop

Below is a summary of the BAR Advisory Committee meeting that took place yesterday, July 21, 2016 in Sacramento.

1) Legislative Update. BAR is tracking the following bills: AB 873 (Jones)-Automotive repair; minor services; AB 1174 (Bonilla)-BAR complaint process handling; AB 1691 (Gipson) & AB 1965 (Cooper) Enhanced Fleet Modernization Retire/Replace Vehicles; AB 2167 (Achadjian)-Towed Vehicles; SB 778 (Allen)-Oil Changes; Pending BAR regulations include: Disciplinary Guidelines; BAR-Certified Institutions and Instructors; Windshield Replacement; Mobile ARD Advertising; Electronic Documents and Authorizations; BAR-97 Specifications; STAR Regulations Clean-up; Brake and Lamp Handbooks; Repair Assistance program;

2) Smog Check Performance Report. BAR presented roadside failure rates report comparing Sierra Study (2003-2006 Roadside Data) and BAR study (2014-2015 Roadside Data) within one year of passing smog check. Results indicate that there is no change in worst performing stations since the STAR program. BAR believes that some worst performers are in the STAR program because of current loopholes in the law. BAR proposing regulations that will close loopholes. These regulations were part of the workshop discussed below.

3) California Vehicle Inspection System Transition (Cal-Vista). The Cal-Vista project consists of negotiating ownership of the smog check data system; refresh the system to the state owned data center and publish an RFP to obtain maintenance and operation service. BAR has completed negotiations for the transfer of data center from current vendor to the state data technology center. BAR preparing an RFP for the selection of vendor to handle the maintenance and operation of the smog check program.

4) Consumer Complaint Process. Bill Thomas of Enforcement provided an overview of the consumer complaint process. Primary goals of BAR to address consumer concerns; mediate a fair and appropriate resolution and check industry compliance. BAR's role is a neutral third party. Consumer Complaints are accepted and BAR determines whether they have jurisdiction to pursue. They are assigned to field office for review. BAR contacts consumer first and then the repair facility. Field Rep evaluates evidence and suggests appropriate resolution and attempts to mediate based upon the circumstances. If unable to reach resolution consumer provided small claims court information and complaint file closed. If violations identified additional enforcement action may be appropriate in addition to mediation of complaint including educational conference, office conference, administrative action and referral to Local District Attorney. Egregious violations (i.e fraud, actions threatening safety of consumer or others) may close complaint without mediation and move straight to investigation.

5) Enforcement Statistics Update. Complaints trends are still running around 15,000 complaints per year. Engine repair represent the highest percentage (35%); General Maintenance (17%); Auto Body (12%); Transmission (9%); and Smog (10%).

Next BAR Advisory meeting scheduled for October 20, 2016

Two separate Workshops took place in the afternoon.

Electronic Documents and Authorizations Workshop. BAR held another public workshop re: proposed Electronic Documents and Authorizations regulations . The intent is to allow for electronic documents and electronic authorizations/signatures. However, they are additional substantive changes including sublet disclosures, disclosure of returned parts; part kits and requiring all records associated with the transaction to have a "unique identifier" linking the records to the transaction. Concerns were raised at the workshop and BAR indicated they would review and take under consideration.

STAR Regulatory Changes Workshop. BAR also held a workshop on the STAR program and proposed changes. The intent is to close loopholes that have allowed some low performing stations in the STAR program. They intend to provide more flexibility with regard to the appeal process if a suspension of STAR station occurs. BAR revising the Performance Measures including removing the no-score/no-score option on FPR removed; smog check inspections using wrong equipment platform; manual entries of VIN during OIS inspections; performing excessively fast inspections and additional changes are proposed. These are all substantive changes. For specific questions please contact Garrett Torgerson at 916-403-0315; or email garrett.torgerson@dca.ca.gov

Thank you.