



NEWS • REPORT

JULY-SEPTEMBER 2018

VOL. 33 NO. 3

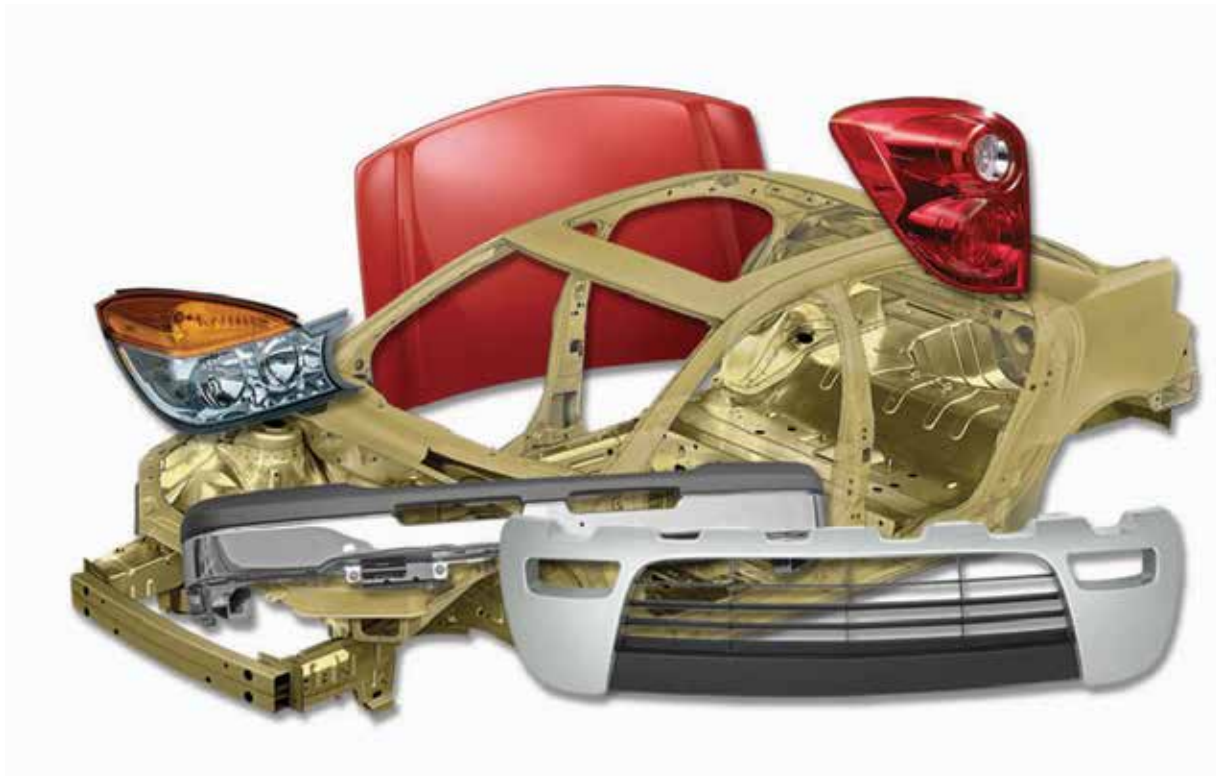


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Clyde Nelson
 1507 19th St. NW
 Turtle Lake, ND 58575-9492
 701-448-2568
 Cell 701-460-0954
 Fax 701-448-2568
 Email ndabnews@westriv.com
 Publisher Larry Berget
 Co-Editors Bonnie & Clyde Nelson

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Thank You!!!!

Issues for NDABA News Report

Issue	Copy Deadline	Printing Date
February-March	Mar. 1	Mar. 15
<i>(Note: Dates for the pre-convention issue may vary.)</i>		
May-June	June 1	June 15
August-September	Sept. 1	Sept. 15
November-December	Dec. 1	Dec. 15

CLASSIFIED ADS: Classified ads are divided into two categories - member and nonmember. Each member is allowed 5 lines, 25 characters per line, plus name & phone number. If you’d like to put your address in, please include that within the 5 line, 25 character portion. FREE to members only. For nonmembers the charge is 50 cents a word, including the words, “For Sale” and name, address and phone number. Initials and numbers count as words. All ad copy must be received by the 15th of the month prior to publication. See ad elsewhere in this magazine.

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CODE OF ETHICS

1. To promote good will between the motorist and members of the Association.
2. To have a sense of personal obligation to each individual customer.
3. To perform high quality repairs at a fair and just price.
4. To employ the most skilled mechanics obtainable.
5. To use only proven merchandise of high quality sold by reputable firms.
6. To itemize all parts and adjustments in the price charges for services rendered.
7. To retain all replaced parts for the customer's inspection.
8. To uphold the high standards of our profession, always seeking to correct any and all abuses within the automotive service industry.
9. To uphold the integrity of all members of the North Dakota Auto Body Association.



PRESIDENT'S LETTER



I hope you all have enjoyed a relaxing summer of fun-filled activities and spending time with family and friends. It took a while for summer to get here, but the wait was worth it.

The NDABA is excited to be hosting two I-Car classes on September 29th, 2018 at the Ramada Inn in Fargo.

We will be having our annual meeting and dinner on Friday, September 28th at 6:00 pm. This will also include election of officers.

For more information on the classes and schedule go to ndautobodyassociation.com. A big thank you goes out to Ed and Bobbie Barnhardt for putting this all together.

The NDABA has lost another long-time member and supporter of our industry. I recently got a phone call letting me know that Gary Quance passed away. Gary has been involved in the wholesale parts industry as long as

I can remember. Gary was with the St. Paul Auto Dealers Group and established the Professional Parts Wholesale Group. He seldom missed our annual Convention and Trade Show and was never at a loss for a good joke and an intriguing story.

Scott Heintzman, NDABA President

www.ndautobody.com
Check it out!

FREE FOR MEMBERS NDABA CLASSIFIED ADS

Classified ads are divided into two categories – member and nonmember.

Each member is allowed 5 lines, 25 characters per line, plus name & phone number. If you'd like to put your address in, please include that within the 5 line, 25 character portion. **FREE** to members only.

For nonmembers the charge is 50 cents a word, including the words, "For Sale" and name, address and phone number. Initials and numbers count as words.

All ad copy must be received by the 15th of the month prior to publication.

Please type or print plainly (do not write, please) the copy for your ad in the form.

Clip out the form and mail to: Clyde Nelson, NDABA Classifieds, 1507 19th St. NW, Turtle Lake, ND 58575-9492. Or email to ndabnews@westriv.com.

Name _____

Box No. _____ Phone (_____) _____

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NDABA Membership Since _____

Make sure to check out the following in this newsletter:

I-CAR Classes on September 29th – page 5

Protecting Your Auto Body Shop from Liability – pages 10-11

Pre- and Post-Repair Scanning: Plugging into the Truth – pages 12-15

If you have not been receiving information on your email server from the association it's probably because we do not have your correct email address. If you would like to keep it that way, do nothing, but if you would like to keep in touch, please contact Clyde @ 701-448-2568 or ndabnews@westriv.com.

ATTENTION NDABA MEMBERS!!

We would like to keep our email address list up to date. Also, if you have an employee who would like to know about association's happenings, please supply us with an email address, so that can happen. You can contact Clyde @ 701-448-2568 or ndabnews@westriv.com.

Please let us know if you have an addition or change to our list. **THANKS!!**

If you have not been receiving information on your email server from the association it's probably because we do not have your correct email address. If you would like to keep it that way, do nothing, but if you would like to keep in touch, please let us know your correct address.

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I-CAR Classes are coming your way!

The North Dakota Autobody Association will be hosting two I-CAR classes to be held September 29, 2018 following the NDABA Annual Meeting September 28, 2018.

NDABA MEMBERS AND NON-MEMBERS ARE INVITED TO ATTEND. Membership information will be available for anyone wishing to join.

LOCATION:

Ramada Inn Fargo, 3333 13th Avenue South, Fargo, ND 58104
1.800.422.7872

SCHEDULE OF EVENTS:

Friday, September 28, 2018

6:00 pm

Dinner *Annual Meeting *Election of Officers

Saturday, September 29, 2018

8:00 am to 12:00 Noon

Vehicle Technology Trends and Diagnostics Overview (#VT117L01)

12:00 Noon to 1:00 pm

Lunch

1:00 pm to 4:30 pm

Understanding the cycle time process (#GE001L01)

Register and submit payment for class(es) of your choice at www.i-car.com. Use the class numbers listed above.

All meals will be provided by the North Dakota Auto Body Association.

PLEASE RSVP BY SEPTEMBER 22, 2018 to **Bobbie Barnhardt at autobody@westriv.com to allow for an accurate meal count.**

Contact Ed Barnhardt at 701.462.3374 with any questions you may have.

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JOIN NOW!

Now is the time to join YOUR Association

Now is the time to work together for our future!

I hereby apply for membership in the North Dakota Auto Body Association. I promise to abide by the Association's By-Laws and Code of Ethics. I understand that any signs, decals or emblems provided by the Association remain the property of the Association, and agree to return them to the Association upon termination of membership. I understand that use of Association logo and identification is authorized only as long as my membership is maintained.

Date _____

Your Name _____ Spouse's Name _____

Home Address _____

City _____ State _____ Zip Code + Four _____ Phone (_____) _____

Business Name _____ PO Box (Mailing Address) _____

City _____ State _____ Zip Code + Four _____ Phone (_____) _____

Classification (circle one)

Owner-Manager \$50 - Owner-Manager (1st year) \$25 - Allied \$25 - Associate \$5 (employee)

Mail to: North Dakota Auto Body Association, Kent Meidinger, PO Box 235, Edgeley, ND 58433-0235
(receiving the News Report does not make you a member of the NDABA)

ARE YOU SEEING DOUBLE?

The *News Report* mailing list was created through the help of distributors, associations, and suppliers. As with many lists, there is always the chance of duplication. So, if you get more than one copy of the *News Report*, please let us know. It will save us the cost of mailing something that you don't need two of.

On the other hand, we want to reach every possible person we can that is part of the Auto Body profession. We include owners, service technicians, brokers, distributors and suppliers. So, if you know of someone that is not receiving the *News Report*, please provide us with their name and address below. Thank you!!

DO YOU WANT TO BE ADDED TO OR REMOVED FROM OUR MAILING LIST? DO YOU HAVE A CHANGE OF ADDRESS? CHECK YOUR ADDRESS LABEL. IS IT CORRECT?

Please add the following name to the mailing list for the ND Auto Body News Report. (Please print)

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Business Name (If applicable)

Mailing Address

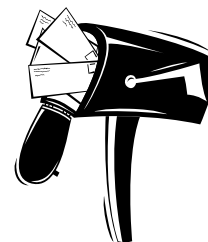
City, State, Zip Code

If this is an address change, what was the old address?
(Or you can attach the mailing label.)

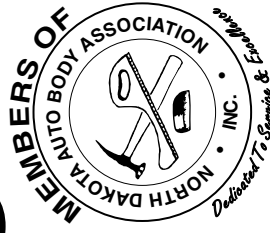
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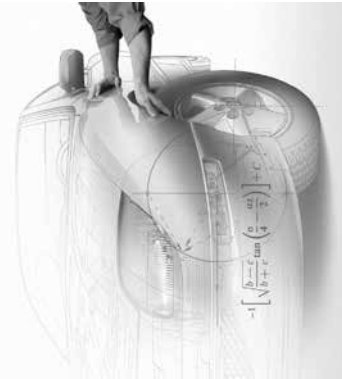


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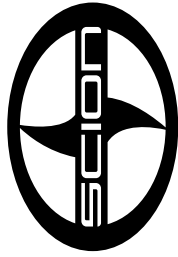
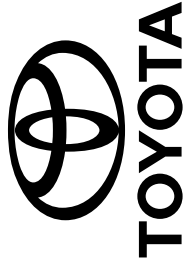
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Protecting Your Auto Body Shop from Liability

by Barrett Smith, AUTHOR, www.bodyshopbusiness.com

Liability for repairers has been an issue since the first chariot repair shop opened, but those liabilities have grown with technological advances and the \$30-plus-million-dollar verdict against John Eagle Collision Center. I suspect the lid has been ripped off the “can of worms,” and many legal professionals are eyeing the many possibilities the collision repair industry offers plaintiff attorneys across the country.

The liabilities are real, significant and numerous for collision repair companies and those who work for them. Administration and technical staff will be as vulnerable as surgeons and other practitioners where the potential for error is high, the potential for personal injury is present and the looming damages significant. Other vulnerable people who come to mind are those who re-pack parachutes and refill scuba tanks!

Causes of Failure

There are numerous things a repairer should do to protect themselves, their company and their employees ... as well as their customers.

In professions where others rely on the practitioners for their knowledge and expertise, failures are generally caused by three things:

- Ignorance
- Gross incompetence and/or
- Intentional misrepresentation

Consider too that these three things may be the result of an insurance claims person’s activities (or lack thereof) in preparing their repair estimates, approval and/or denial of processes, parts and materials, etc. Generally, neither the claims person nor the insurer will be found liable for any shortcomings in a repair simply because they don’t perform repairs!

The repair professional is ultimately liable for the level of workmanship and parts and materials in their repair. They alone are responsible – unless they take steps to shield themselves or shift avoidable liabilities away from themselves. So what should repairers do to protect themselves?

1. Repairers should seek and secure ample liability insurance coverage from

a reliable insurer for their business and the actions of their employees.

2. Repairers should have a well-crafted repair authorization/contract that clearly outlines the relationship between themselves and their customer and the duties and responsibilities of both.

3. The repair authorization/contract should provide caveats, limitations and expectations that both the repairer and customer should clearly understand, adhere to and abide by.

4. Repairers should have written policies and procedures for the handling of re-occurring issues for consistent processes and word tracks.

The repair professional is ultimately liable for the level of workmanship and parts and materials in their repair.

Relationships

Repairers should understand their relationship with the parties they interact with and do so with the utmost professionalism and meticulous attention to detail – and I am not merely referring to performance of the repair. I am referring to their interactions with their customer and those who may become involved in the customer’s repair process. This may include internal staff as well as outside parts personnel, sublet service providers, vendor representatives, insurer claims people and others.

As illustrated in the John Eagle case and substantial jury award, one should not underestimate the potential ramifications of not following sound business principles no matter how minor or mundane they may seem at the time. A simple handwritten note in the border of a repair authorization/contract can have a profound and devastating effect

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on a matter that may go to litigation. I should know – I lost what appeared to be a “slam-dunk” case against a large national insurer due to such a note made in pencil by my office manager in the document’s border. The insurer’s legal counsel was able to use this simple note to win the case. It was a fairly expensive and hard lesson we learned to never repeat.

Procedures and Processes

With new technologies abounding and potential liabilities increasing, a company’s future and continued success will depend upon its procedures, processes and day-to-day handling of hundreds of tasks and activities, all of which must be developed, implemented and monitored to ensure fundamental and consistent handling by each and every employee. The following is a list of processes that are often overlooked or not even considered by many collision repairers across the country:

- Failure to have a well-crafted repair authorization/contract
- Failure to attain a customer’s signature on a repair authorization/contract
- Failure to properly document communications with customers and

others involved in their claim when applicable

- Notifying the customer of the call for the use of alternative parts (i.e. salvaged/recycled, aftermarket, reconditioned, “opt-OE,” etc.)

• Approval for the employment of alternative parts (other than new OEM replacement parts) with liability waiver/hold-harmless, etc.

• Written notice to the customer whereas proper compensation for required and/or recommended processes, parts and materials have not been provided for or have been denied

- Notice of Lien where applicable within the time frame called for by local and state mandates, regulations and/or statutes

Of course, there are many other situations that repairers may be confronted with on a daily basis that call for special handling and notice to the customer, all of which, if not performed properly, could create unnecessary liabilities and risks for a repairer, their company and their staff. These are also notifications and communications that customers generally appreciate and build goodwill, trust and confidence between them and the repairer.

Trying to serve your customer and appease the needs of others is a daunting task.

The old adage, “An ounce of prevention is worth a pound of cure,” is most applicable in the collision repair industry, especially where outside third-party interference is a common issue of contention and constant concern for quality-minded repairers and their customers. Trying to serve your customer and appease the needs of others is at best a daunting balancing act and one that rarely serves the best interests of all parties – and one that can often lead to the repairer being placed in the greatest jeopardy with the least reward.

What to Do

So what is a repairer to do? Where do they turn to learn what is needed to protect themselves and prepare to avoid such issues? One can learn by their mistakes as I did over my 30-plus years as an owner/manager, or they can tap into other repairers’ experiences in hopes of receiving viable information that, in their time of need, will prove to be beneficial. Or, as our repairer clients do, they can seek such information through professional industry consultants – advisers who offer the knowledge and materials to help repairers become prepared and implement the needed documentation and processes to avoid such issues, turning potential liabilities into improved customer service and greater profitability.

Some of you reading this will not understand or see the need to augment your business practices, just like some who have had growing concerns over time but don’t know how to go about addressing them. I can assure you all that the potential liabilities are real and can be significant. And such concerns will only grow as the auto industry evolves, vehicles continue to get more costly and the legal community sees the ever-increasing potential for litigation.

Those open-minded repairers who choose to be proactive and begin to take the steps today will be better-prepared should an issue arise. Those who do not will be ill-prepared and susceptible to easily avoidable liability and the significant costs and heartache that will likely follow. The minimal costs in prevention will no doubt pale in comparison to the cost of dealing with the alternative.

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Pre- and Post-Repair Scanning: Plugging into the Truth

by Josh Cable, SENIOR EDITOR, www.bodyshopbusiness.com

When several OEMs issued position statements on pre- and post-repair diagnostic scanning in 2016, it made an impression on John Mosley, owner of Clinton Body Shop in Clinton and Richland, Miss. Mosley said he invested around \$17,000 in scan tools and equipment after Fiat Chrysler, GM, Honda, Nissan and Toyota declared that scanning collision-damaged vehicles is a critical element of a proper repair.

“You should repair the car as closely as you possibly can to the OEM repair recommendations,” Mosley explained. “Knowing that almost every manufacturer is recommending scans now, I don’t see how a shop can think that they’ve repaired the car properly if they’ve haven’t scanned it.”

Nothing New

Scanning is nothing new. Since the 1988 model year, the California Air Resources Board has been requiring passenger vehicles sold in California to incorporate onboard diagnostic (OBD) equipment. In the early 1990s, the EPA began phasing in nationwide regulations for the second generation of onboard diagnostic systems – known as OBD II – and mandated that all light-duty cars and trucks sold in the United States after Jan. 1, 1996, must have OBD II systems.

Although the initial intent of onboard diagnostics was to identify malfunctions in emission-related systems and components, the role of diagnostic scanning has broadened over the years. On the mechanical repair side, plugging into the OBD II port has become a standard diagnostic practice for many technicians. On the collision repair side, scanning has become a necessary step to determine whether all the sophisticated



electronics and safety features in today’s high-tech vehicles are functioning properly – before and after the repair.

“Nissan vehicles today have more technology and electrical components than ever before,” Nissan explains in its position statement. “Today, it is necessary in most repair situations for the vehicle to have a pre- and post-repair scan so that the repairer is informed of any trouble codes present, even in cases where there are no identifier lights on the dash.”

Mosley’s shops follow a simple rule of thumb: “Anything that’s hit hard, we’re doing a pre- and post-repair scan.” For vehicles that come in with light damage, his shops will conduct post-repair scans at the very least, according to Mosley.

Clinton Body Shop charges one hour total for a pre- and post-repair scan. At his mechanical rate of \$100 an hour, that’s \$50 for the pre-repair scan and \$50 for the post-repair scan. Mosley knows that scanning isn’t going to be a cash cow for his shops. But he doesn’t view his investment in scanning equipment

the same way he looks at buying a framing machine or a paint booth.

“It’s more about doing the right thing,” he said.

MILs Don’t Tell the Whole Story

Now that his shops are scanning vehicles, Mosley has become a believer in the importance of scanning. The key reason: Scanning is the only way to identify all of the diagnostic trouble codes (DTCs) stored in the vehicle before the repair, and the only way to know that no DTCs are lingering after the repair.

This is especially true for newer vehicles, which are becoming computers on wheels – complex networks of control modules, sensors, actuators, wires and components that enable advanced driver-assistance systems (ADAS) and other safety and convenience features.

This technology isn’t limited to higher-end models. Nissan, for example, recently estimated that 1 million of its 2018 model-year vehicles – including the Sentra, Maxima and Rogue – will have radar-powered automated emergency braking. Hyundai recently announced that its first subcompact SUV – the Kona – will come with an array of high-tech safety features, including forward collision-avoidance assist, which uses the car’s front-facing camera and radar to detect an imminent collision and avoid impact or minimize damage by braking autonomously.

There’s so much technology in today’s vehicles that there aren’t nearly enough

“Knowing that almost every manufacturer is recommending scans now, I don’t see how a shop can think that they’ve repaired the car properly if they’ve haven’t scanned it.”

— John Mosley, owner, Clinton Body Shop



malfunction indicator lights (MILs) to cover all the diagnostic trouble codes that can be triggered by a collision – or by the repair process.

During a panel discussion at the 2016 SEMA Show, Chris Tobie, former collision repair diagnostic director for American Honda, noted that a 2017 Honda Fit – the automaker’s entry-level vehicle – can contain up to 510 DTCs. On the other end of the spectrum, a fully loaded Honda Pilot or Odyssey Touring Elite might have 1,000 DTCs.

It’s “simply not possible” for a vehicle to illuminate a MIL for all of those codes, Tobie said.

“We have to make this very clear: Indicator lights are for driver notification,” Tobie added. “They are not diagnostic tools. They never were intended for that.”

Consequently, in Honda’s July 2016 position statement, the automaker calls for post-repair diagnostic scans in any repair involving disconnection of electrical components or replacement of body parts, to confirm that all electronics have been reconnected and recalibrated properly. MILs just don’t tell the whole story.

When Matthew McDonnell, owner of Big Sky Collision Center in Billings, Mont., started scanning vehicles in early



Nissan: It is necessary in most repair situations for the vehicle to have a pre- and post-repair scan.

2015, he kept a log of his shop’s repair orders to see if it really was necessary to conduct diagnostic scans on every vehicle. Out of 216 vehicles that the shop scanned over a several-month period, only 14 percent of those with DTCs also had MILs. Out of that 14 percent, about half of the MILs were unrelated to the collision damage – items such as tire-pressure alerts and oil-change reminders.

Put simply, if you’re relying on MILs – or lack thereof – to guide your repair plan, “that means you’re going to be right 7 percent of the time,” McDonnell said.

“That’s not good,” McDonnell added. “That’s very unsafe.”

In the new age of high-tech vehicles, shops are learning that a collision isn’t the only factor that can trigger a

(Continued on next page)

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Scanning ...

(Continued from previous page)

DTC. As Fiat Chrysler points out in its position statement, DTCs can occur as a result of:

- Voltage loss, including battery disconnects or hybrid-battery disabling
- Vehicle disassembly, including bumpers, door handles, headlamps and mirrors
- Interior-trim repair or removal
- Glass removal or replacement

Because of all the sensitive, sophisticated technology embedded in today's vehicles, even the most fundamental procedures are scannable events.

"We probably should've been doing this four, five years ago – maybe longer than that," Mosley admitted. "But there hasn't been a light shined on it [until the OEMs published their position statements]. We're trying to learn everything we can to make sure we do the best job we possibly can for our consumer."

'Truth in the Repair'

The need for pre- and post-repair scanning becomes even more glaring

when the latest vehicle models come through a shop's doors.

Jake Rodenroth, director of client services for Plano, Texas-based asTech, pointed to an October 2016 scan report from a body shop that was repairing a collision-damaged 2017 Chrysler Pacifica Hybrid. According to the report, the pre-repair scan showed that the Pacifica arrived with 11 DTCs. However, the post-repair scan showed that the vehicle had 41 DTCs.

"So there were 30 fault codes added to this vehicle because of the repair process itself," Rodenroth said during a presentation at the April 2017 Collision Industry Conference in Pittsburgh. "When these vehicles were assembled, they didn't have diagnostic networks on board. They didn't have control modules on board. They were painted as body shells. So as we're moving these vehicles around, they don't know they're in a body shop."

Performing pre- and post-repair scans, Rodenroth added, reveals a vehicle's "cyber fingerprint." By taking a close look at a scan report, shops can see that some faults are from the collision, and some are from electronics that haven't been reconnected or recalibrated

properly.

That's something McDonnell quickly learned when Big Sky Collision Center began scanning vehicles in March 2015. By performing pre- and post-repair scans, he saw that basic procedures such as removing a door handle, unplugging a battery or moving a vehicle to the paint area were triggering DTCs.

"We realized that there's no way we can avoid moving the vehicle around our shop without either turning the key or disconnecting the battery or other basic steps, so we're going to have those trouble codes – there's no avoiding it," McDonnell said. "So it is part of the repair process."

Because Big Sky is able to pinpoint exactly what's wrong with the vehicle (during the pre-repair scan) and ensure that all the issues have been addressed (during the post-repair scan), scanning has become an integral part of the repair-planning and quality-control processes, McDonnell explained.

"Quality has gone through the roof," McDonnell said. "And customer comebacks don't exist anymore."

While Rodenroth describes scanning as a way to reveal a vehicle's cyber fingerprint, McDonnell looks at it from

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Like more and more vehicles, the Hyundai Kona will come with an array of high-tech safety features.

a more philosophical standpoint.

“There is truth in the repair,” McDonnell said. “The car has never lied once in the history of repair. It’s always the truth. The fender always has that dent on it, and the codes and faults are the truth – we don’t make them up.”

With vehicles becoming increasingly digital and electronic, McDonnell believes “the car is speaking to us more than it ever has.”

When the vehicle is speaking through DTCs, Mosley believes that it’s vital to listen. Shops can do that by following

the OEMs’ advice to perform pre- and post-repair scans on collision-damaged vehicles, and to make scanning a standard piece of the blueprinting, estimating and quality-control processes.

“If you’re not completing the repair the way the manufacturer has recommended that it be completed, then you’re leaving trouble codes in that car,” Mosley asserted. “It may be because you unhooked the door handles or the power locks or the mirrors. Whatever the reason, you’re leaving codes stored in that computer.

“Are those codes going to interfere with other operations later on? I don’t know and the [vehicle] owner doesn’t know and neither do the insurers. But I strongly believe that I don’t want to have a car leave here with open codes in it. It’s not so much about somebody finding it. It’s about making sure you’re doing everything you can to protect the safety of that person driving the car, and those riding in it, as well as the drivers they’re sharing the road with.”

Editor’s note: This article appeared as part of the scanning guide in the July 2017 issue of BodyShop Business.

The views expressed in articles throughout this issue are those of the writers, and do not necessarily reflect views of NDABA.

Readers are welcome to react to views expressed here or elsewhere in the magazine by writing:

Clyde Nelson
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 1507 19th St. NW
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