



Automotive Service Association of Ohio

Ohio Senate Transportation, Commerce and Labor Committee

Matt Dougher

Automotive Service Association of Ohio, Inc.

Proponent Testimony – SB 37

October 7, 2015

Chairwoman Manning, Ranking Member Cafaro, and members of the Senate Transportation, Commerce and Labor Committee, my name is Matt Dougher and I appreciate the opportunity to testify today in support of SB 37. I come before you today on behalf of the Automotive Service Association of Ohio (ASA Ohio). ASA Ohio is one of the largest organizations representing automotive repair entities in the state and serves as a voice for hundreds of repair facilities throughout Ohio.

I have had over 25 years of experience in the automotive industry in Ohio, working closely with new car dealers, automotive body shops and mechanical repair shops. I have been fortunate to have traveled throughout Ohio and met with countless repair facilities. Through this experience, I understand how important SB 37 is to the automotive service industry, and I would like to thank this committee for considering it today. If passed, SB 37 will help protect consumers and employees, improve the business environment in the automotive repair industry, and benefit local communities and the state as a whole.

How is SB 37 a consumer protection bill? Just last year the Ohio Attorney General's Office received approximately 28,000 complaints. Of those, complaints involving motor vehicles topped the list. This has been the case for a number of years now. While the Attorney General's office does a great job of protecting consumers, the Motor Vehicle Repair Board would serve as yet another outlet for consumers to go when they have complaints. Currently, the Board is able to follow-up on complaints involving the collision side, yet has no jurisdiction to address concerns on the mechanical side. Often, concerns brought to the Board are able to be resolved by simply contacting the automotive repair shop. Other times the Board can work directly with the AG's office to address the concerns. If passed, SB 37, will give yet another resource to both consumers and shop owners to resolve complaints.

In addition to assisting consumers in resolving complaints, the Motor Vehicle Repair Board helps ensure that automotive repair shops are OSHA compliant and have liability insurance should an accident occur. Obviously, accidents can happen in any

industry; however, automotive repair facilities face added challenges since they often store gasoline, tires, oil, and other flammable materials as well as work with heavy duty equipment. I'm not implying that SB 37 will prevent all accidents from occurring. Nevertheless, if repair facilities are deliberately ignoring OSHA laws, they are putting both their customers and employees at risk. Furthermore, if an accident does occur, repair facilities – like any reputable business – must have insurance to cover the cost of damages. Protecting the consumer and a shop's employees was one of the main reasons the Board was created back in 1998. Attached are a number of articles showing some of accidents that have occurred over the past few years. In many cases, customers' vehicles were destroyed, and in some tragic cases people were either injured or killed. Please note, that I am not indicating that every one of the shops mentioned in the articles were operating illegally or carelessly, but Ohio must ensure that it is doing everything it can to protect consumers and employees. The Motor Vehicle Repair Board can help ensure just that.

Another reason to support SB 37 is that it is business friendly! ASA Ohio represents hundreds of automotive repair facilities throughout Ohio and every one of them supports a competitive business environment. Unfortunately, there are many repair operations out there that illegally cut corners just to save a buck. These illegal operators can be found on Craigslist and other areas and disguise themselves as legitimate repair business. Often, it can be difficult to identify them, consumers don't realize they are breaking the law and they are small enough that they easily go undetected by larger state agencies who have "bigger" violators to focus their attention. While these illegal entities might not seem like a large problem, I assure you that they are a major concern to our members who are forced to compete with them. Small automotive repair facilities, go to major expenses to comply with required laws and regulations. Like most businesses, automotive repair facilities must pay taxes, obtain EPA permits, pay worker's compensation, and meet numerous other obligations to be law-abiding businesses. Shops operating under-the-radar ignore these requirements and thus, are able to cut cost. This takes business away from law-abiding entities. Unfortunately, the system today gives illegal operators a competitive advantage over law-abiding shops. A similar situation occurred in the collision industry in the 1990's. Fortunately, the Motor Vehicle Repair Board was formed to ensure that all collision repair businesses were in compliance with state and federal regulations. We believe the Board will have a similar impact on the mechanical repair industry as well. A Board that is focused on the automotive repair industry can more easily identify illegal operations and work with them to become compliant.

In addition to identify illegal repair shops and promoting fair competition, the Board is also able to work with automotive service centers to help them become complaint. With so many regulations facing the industry, it is easy to overlook a requirement. Once registered, the Motor Vehicle Repair Board can work with businesses

to see where they may be failing to comply with state or federal standards. The Board will then work with that business to bring it into compliance, often with no penalty. Unfortunately, we have heard stories of businesses being hit with heavy fines from various agencies because they were unknowingly violating certain regulations. When a business first registers, the Board ensures that the repair facility is up-to-date with all requirements, hopefully avoiding future fines and penalties. Additionally, the Board notifies registered shops of changes in policy that will impact the industry. The Motor Vehicle Repair Board is a direct means of communicating with registered repair shops in Ohio when new laws, regulations, safety warnings, technical and educational information come about.

Finally, SB 37 will benefit the community and the state as a whole by ensuring that all entities operating as repair facilities are in compliance. Shops that ignore EPA regulations by improperly disposing of anti-freeze, oil and other fluids put all your communities at risk. Storing old and rotten tires out in the open is not only a fire hazard but can attract mosquitoes and other pests that carry diseases. Also, entities that avoid paying taxes take money away from much needed resources and forces everyone else to pay more. Unfortunately, without a professional board the situations listed above occur far too often. This lack of oversight hurts the people of this state. The Motor Vehicle Repair Board can help ensure that all automotive repair businesses in Ohio are meeting at least the minimum requirements to be a legal entity in this state.

Please keep in mind that SB 37 does not create a new board, nor does it establish burdensome standards. Additionally, SB 37 does not waste taxpayer money because the Board is self-funded through fees, which are actually lowered in this bill. The bill simply requires mechanical repair shops to demonstrate their compliance with the laws currently established to protect the consumer and promote fair competition. ASA Ohio, on behalf of hundreds of repair operators in Ohio, urge your support for this important piece of legislation.

Sincerely,

Matt Dougher
Automotive Service Association of Ohio, Inc.



Garage leveled, dog burned, man bitten in St. Clair Twp. explosion

Cause of explosion under investigation

ST. CLAIR TOWNSHIP, Ohio -

Neighbors in St. Clair Township were startled by two loud explosions after a garage exploded Wednesday afternoon on Fear Not Mills Road.

Authorities said several cars and farm equipment in the garage were destroyed by the explosion.

Fire crews said the homeowners were not home at the time of the explosion.

Watch this story

Neighbor Robert Vollet said after the explosion that he went to check out the garage and heard a dog barking. Vollet noticed that part of the garage had collapsed onto the doghouse, trapping a mastiff inside.

"It shook my house," Vollet said. "It shook the neighbors house. Everybody's coming up saying, 'Man, what was that?' And I say, 'Well, there it is go look at it,'" said Robert Vollet.

Vollet and another neighbor moved in to rescue the dog, but the dog was so scared that it ended up biting Vollet.

"Everette Murray was with me when the dog got me," Vollet said. "I sort of pulled (it) out with my hand and Everette was able to get the leash and unleash the dog. So we saved the dog. We lost the house, but we saved the dog."

Vollet went to the hospital to have doctors check out the bite. The dog suffered burns and was taken to the vet for treatment.

Fire crews said the cause of the explosion is under investigation, but WLWT News 5 was told that the homeowner had propane tanks in the garage, which might have triggered the explosion.

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UPDATED: Fire under control at Liverpool Twp. auto repair shop



Filed on December 19, 2014 by [Andrew Davis](#)

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Valley City firefighters prepare to climb the ladder to battle flames at Engine Works Complete Auto Repair, 5927 Center Road, Friday evening. (ANDREW DAVIS / GAZETTE)

LIVERPOOL TWP. — Multiple fire departments battled a large commercial structure fire for more than two hours Friday evening in Liverpool Township.

Valley City Fire Chief Jack Petrone said his department received a call at 4:44 p.m. regarding an explosion at Engine Works Complete Auto Repair, 5927 Center Road.

When firefighters arrived, flames had engulfed much of the building, causing Petrone to call for mutual aid from Erhart/York Township, Brunswick Hills Township, Brunswick and Columbia Township.

“When we arrived, the fire was heavily involved in the center of the building,” he said. “We started an attack about 15 minutes in.”

Petrone said shop owner Carl Nici was inside the building at the time of the explosion. Petrone said Nici wasn't injured and refused treatment at the scene.

By Steven M. Grazier
Independent staff writer

April 24, 2015 4:56PM

Auto business near Brewster, home destroyed by fire, owner injured

Paul Pratt's Auto Service and the Pratt residence was destroyed by fire Friday afternoon, and Pratt was taken to a hospital with burn injuries.

Thick, black smoke filled much of the sky and was visible for miles Friday afternoon when a fire destroyed a 1,700-square-foot auto service business and adjacent ranch-style home, and injured the property owner.

Paul Pratt, owner of Paul Pratt's Service and Towing, was transported to Affinity Medical Center with burns to both of his arms, according to Assistant Brewster Fire Chief Mike Maybaugh.

He said at least two propane tank explosions caused flames to reach "way above the tree line" on the property.

"When we got here flames were at least 150 feet high," Maybaugh said. "The roof was collapsing, so we took a defensive mode from the start."

Firefighters from eight area departments battled the blaze well into the evening Friday, attacking it from the outside due to the dangerous conditions.

The four-bay garage and an adjacent home at 12271 Barrs Road SW were destroyed by the fire, which broke out just before 4:30 p.m.

Two employees who were working at the time but not injured said a pickup truck, box truck, tow truck and a car were inside the garage and claimed by the fire. Also lost were general automotive tools, tires and other equipment.

Tim Tonn, a township resident who lives in the 3000 block of Pigeon Run Avenue SW, said his son, Jason, lost a custom 1996 Ford F-350 pickup truck that was to receive a new clutch at the auto shop.

"We just lost a truck in the fire, but they lost everything," said Tonn, who was watching the fire while standing along Barrs Road with his son just north of the auto service center.

A Pratt employee, Tim Anderson, said he was working on repairing some damaged pipes that froze over the winter on the property. He was at a safe distance from the buildings when he first saw flames shoot toward the sky.

"It was rolling good, for sure. You weren't going to touch it with a fire extinguisher," said Anderson, of Canton, adding that his boss had visible hand and facial burns in addition to those on his arms.

Tires burned in the garage, causing an incredible amount of black smoke that could be seen as far as downtown Massillon. The scene caused motorists to pull off the roadway along eastbound U.S. Route 30 and on Barrs Road to watch the blaze.

Maybaugh said a representative from the state fire marshal's office arrived Friday evening to determine the cause of the blaze, which is under investigation. Firefighters were still working hot spots as of 8:30 p.m. Friday. A damage estimate had not been set yet.

At least a dozen fire trucks and other equipment and manpower from a number of area departments were at the fire scene. Overall, about 60-to-70 firefighters and emergency medics responded, said Maybaugh, who expected some firefighters to remain much of Friday night.

Assisting Brewster with manpower or equipment were fire departments from North Lawrence, Wilmot, Dalton, Beach City, Canal Fulton, Bethlehem Township and Massillon.

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PHOTO/ INDEONLINE.COM / KEVIN WHITLOCK

Firefighters from numerous departments watch as a fireball shoots into the air in the garage area at Paul Pratt's Service in Tuscarawas Township.

Last Auto Cars

Last News of Auto Cars

Saturday, December 20, 2014

Man dies after car falls on him at South Side auto lot - Columbus Dispatch

Authorities have identified the man who died on Thursday after a car he was repairing fell on him at a South Side auto lot.

Police said the death of Kevin Hill, 58, appears to have been accidental.

Homicide detectives investigate all such deaths, even when a crime is not suspected.

Paramedics were called about 1:30 p.m. Thursday to the Too Short Auto Sales lot at 817 Parsons Ave. and found Hill trapped beneath a sedan inside a small garage, which is used by the business to make repairs.

Detective Melissa Carlson said the lot's owner had shouted into the garage that he was leaving for the day. When he didn't get a response, he checked inside and discovered that the car had slipped off jacks and onto Hill.

Columbus firefighters and paramedics jacked up the car and took Hill to OhioHealth Grant Medical Center, where he died about 2 p.m.

It was not clear how long Hill had been trapped, but the owner told police he had last seen him go into the garage about 45 minutes earlier.

Carlson said the owner had been helping Hill by giving him a chance to work on cars and a place to stay.

"He lived in that little camper," she said, gesturing to an old RV parked on a back corner of the lot.

The visibly distraught owner declined to comment Thursday, saying he wanted to speak first with the man's family. Carlson said the nearest relatives were believed to live in Cleveland.

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Source : <http://www.dispatch.com/content/stories/local/2014/12/18/car-fatally-falls-on-man.html>

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Chicago-to-Cleveland heroin drug ring, who sold drugs from auto repair shop and Cuyahoga County Jail, indicted by federal prosecutors

Adam Ferrise, Northeast Ohio Media Group By **Adam Ferrise, Northeast Ohio Media Group**

Email the author | Follow on Twitter

on June 26, 2014 at 1:06 PM, updated June 27, 2014 at 8:42 AM

CLEVELAND, Ohio — An expansive operation imported drugs from Chicago sold to customers out of an auto repair shop on Cleveland's East Side and arranged drug deals from the Cuyahoga County Jail.

They bought and rehabbed an apartment building on East 74th Street with the drug proceeds and sold it for a \$200,000 profit . They might have buried half of the money in the ground, prosecutors said.

Federal agents on Thursday arrested 28 members of a 31-person drug ring — including Chicago drug kingpin Gardner Witt, 43, several couriers and the man they say is the Cleveland-area leader, Mark Makupson, 33.

Each now face 107 total federal charges after the indictment handed up by a federal grand jury in U.S. District Court in Cleveland. Witt is a ranking member of a national gang, the Black Disciples, based in Chicago and obtained mass quantities of drugs from Mexican drug organizations, prosecutors said.

Members of the Cleveland drug-dealing organization charged on Thursday are part of the Hough Heights Boys and Hough Harlem Boys, both local gangs, prosecutors said.

"You can't minimize this case," FBI Special Agent In Charge Steven Anthony said. "The streets are safer with these guys off the streets."

FBI agents started making simultaneous arrests about 7 a.m. Thursday. Three people charged in the indictment are at-large, officials said.

They are still looking for Reuben Bell, 27, LaToya Johnson, 30, and James McClain, 32.

The Northeast Ohio Media Group spent two months investigating the organization, including reviewing court records eventually sealed at the FBI's request.

The affidavits, indictment and other court records provide a picture of a Cleveland drug trafficking organization comprising career criminals, killers and former gangsters who made hundreds of thousands of dollars selling heroin during a period lawmakers and law enforcement officials have dubbed a "heroin epidemic."

Federal agents and Cuyahoga County drug investigators closely watched the group for more than a year, often wiring informants, driving them to buy drugs from different dealers and listening to their phone conversations.

Sometimes investigators simply walked up and knocked on drug dealers' doors to identify other members.

FBI informants purchased 284 grams of heroin between June 2010 and May 2014 for \$26,340 during 37 buys at various locations in Cleveland, Strongsville, Lakewood and Defiance. They also sold drugs to an Akron man with a long history of drug trafficking.

Investigators raided homes and searched vehicles driven by members of the group transporting drugs or money. They seized about \$750,000, eight cellphones and six guns, including an automatic rifle and an AK-47, and three cars — a Hummer H2, a 2007 Mercedes G500 SUV and a fully restored 1967 Pontiac Bonneville agents say were purchased with drug money.

They also seized seven kilograms of heroin and one kilogram of cocaine during the investigation, prosecutors said.

"This is one of the most significant heroin operations that we've taken down to date," said Assistant U.S. Attorney Joseph Pinjuh said. "This is a very significant organization with direct ties to the Black Gangster Disciples."

An informant told federal agents about Makupson and his drug organization in May 2010, according to court records. Agents purchased drugs and guns from Makupson three times in June and July that year.

The intensive investigation began in April 2013 with agents wiring informants and making several drug deals with Makupson directly. U.S. District Judge Solomon Oliver approved the wiretaps on Oct. 25, 2013, court records say.

In one case, wiretaps caught informants and the drug ring's then-Texas suppliers, who were not charged in the case, talking about selling Makupson a kilogram of heroin for \$95,000.

The indictment also details several instances where Makupson and Witt met in Cleveland or Chicago to make large-scale drug deals.

Makupson drove to Chicago Nov. 9 and dropped off \$1,000 stacks to Witt at a now-closed nightclub on Chicago's North Side. Chicago police closed the club in April.

Witt's girlfriend, Tatiana Squair, 25, dropped off a \$56,890 drug shipment in Cleveland on Nov. 25, according to the indictment. She and another courier were arrested Dec. 11 in Perrysburg driving in a shipment of more than two kilograms of heroin hidden inside SUV's spare tire on Interstate 80.

Squair and the other woman, Dionna Smith, were held in the Wood County Jail on \$300,000 bond until Thursday's indictment.

Witt drove to Cleveland Dec. 15. Makupson bought "a large quantity of heroin" from Witt at the University Inn and Suites on Euclid Avenue near East 36th Street.

Police and agents converged on a Dec. 31 meeting between Makupson, another drug ring member and two

Chicago drug couriers, court records say.

James Griffin toted a large heroin shipment on a Greyhound Bus and arrived about 12:30 p.m. at the Chester Avenue station. Courier James Griffin dropped the drugs in Makupson's car. Makupson fled from police and Griffin ran and caught the bus, but was eventually arrested at the Elyria bus stop with \$57,000 cash.

Witt— who convicted of transporting 222 grams of heroin from Chicago to Akron in 2012— sold 250 grams of heroin for \$18,750 in Chicago.

Once the drugs got here, they went out to other leaders of the organization and 18 street dealers, according to the indictment.

One member of the drug ring, Harry Hubbard, 29, was one of several people convicted in 2005 of killing a man by dousing him with gasoline and lighting him on fire. Federal investigators believe he sold Makupson's drugs out of the Advanced Auto and Towing shop on Superior Avenue at East. 40th Street.

Another dealer coordinated drug sales from the county jail. Brian Singleton, 34, who was jailed on \$500,000 bond after police found him with some 800 grams of heroin in his car, coordinated drug deals between Makupson and Singleton's girlfriend, Carmelita Seay. She took over Singleton's dealings after he was incarcerated.

Seay once helped plan the robbery of a convenience store in Cleveland in 2001, in which the robbers fatally shot the store owner, according to court records.

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Cleveland auto repair shop raided in illegal dumping investigation (slideshow, video)

Cory Shaffer | Northeast Ohio Media Group By Cory Shaffer | Northeast Ohio Media Group

Email the author | Follow on Twitter

on August 13, 2014 at 3:04 PM, updated August 13, 2014 at 3:45 PM

CLEVELAND, Ohio -- In the latest crackdown of suspected illegal dumping across Cleveland, **authorities Wednesday found thousands of tires and hundreds of barrels** at an East Side auto repair facility.

A citizen's tip about odor and empty barrels at J.C. Auto Repair at 6830 Beaver Avenue in Cleveland led investigators to the shop this week. Sgt. Andy Ezzo said police checked out the property and obtained a search warrant.

Cleveland auto repair shop raided for illegal dumping

Authorities in Cleveland raided J.C. Auto Repair Wednesday as part of an ongoing crackdown against suspected illegal dumping grounds.

When Ezzo and the Cuyahoga County Environmental Crimes Task Force executed the warrant Wednesday morning and found nearly 5,000 tires and hundreds of 55-gallon drums, some of which were opened with liquid inside, Ezzo said.

There was also a Mack dump truck, a tractor-trailer and an front end loader, as well as crushed cars and discarded engines lying around.

"What it looks like somebody did is they actually made a landfill here," Ezzo said. "They just buried everything and pushed it off to the side."

Property records show the current owner purchased the land and the building from Advance Barrel and Drum Co. in 2001. The owner, who has not been charged with a crime, said the tires and barrels were on the property when he bought it and has been working to clean it up since.

Members of the Ohio and U.S. Environmental Protection Agency will test the barrels and decide whether to charge the owner with a criminal offense.

Ezzo's unit will take the evidence to prosecutors to seek an indictment.

The **task force, formed late last year**, is the fourth countywide unit devoted to environmental crimes in Ohio, after Franklin, Montgomery and Lorain counties. The task force raided a scrap yard adjacent to J.C. Auto Repair in

June that is owned by a different man with the same name.

"We need to take care of this (illegal dumping) problem because if we don't it's just going to get worse," Ezzo said.

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