



**Automotive Service Association  
of Ohio**

**AUTOMOTIVE SERVICE ASSOCIATION OF OHIO INC.  
STATEMENT OF OPPOSITION TO SENATE BILL 148  
NOVEMBER 14, 2017**

Thank you Chairman Uecker, Vice Chairman Wilson, Ranking Member Thomas and members of the Senate Local Government, Public Safety and Veterans Affairs Committee. My name is James Chilcoat and I am the president of the Automotive Service Association of Ohio Inc. (ASA). ASA is the largest business association of independent automotive repair shops in Ohio.

Although well intentioned, the passage of SB 148 would be a disservice to many Ohioans. When a collision occurs, it is often a race for a settlement of the claim. The insurer will attempt to make an estimate of the damages and based on that, offer the accident victim an immediate settlement. For many Ohioans, being given a couple of thousand dollars is quite tempting. If, however, their car is damaged to a point of being unsafe to drive, they may be putting themselves, their families or other Ohio drivers at grave risk!

Also, very frequently if the vehicle's frame is bent it might not be visible to the naked eye. If this has occurred, the proper repair of the vehicle becomes much more expensive. If left uncorrected it becomes a great risk to the driver and passengers as well as innocent bystanders! Also, it would greatly affect the re-sale value of the vehicle.

Under today's current laws, a repair shop may easily contact the accident victim to offer a free evaluation and estimate before settling with the at-fault insurance company. If a repair shop does contact the accident victim, there are a number of laws and rules with which they must abide. First and foremost is utilizing the State's "Do Not Call" list. Additionally, there are a number of rules preventing fraud and requiring proper estimating and repair procedures.

To my knowledge, most ASA members do not rely on phone solicitations to build business, however, it is an avenue that is available to them to supplement their business during slow times. It is an opportunity for many Ohioans, who don't have a regular repair shop to get expert advice at no cost, before settling a claim with a professional claims adjustor who is under pressure to keep claims as low as possible.

The American free market is something that has made our country great, but with freedom comes responsibilities. Blocking free commercial speech is a high price to pay in exchange for

being offered a free service that may save accident victims thousands of additional dollars they are rightfully owed or for simply saying “no thank you.”

The deck is already stacked against accident victims. Please do not make it even more difficult for them to receive fair compensation for an accident that was not their fault.

James Chilcoat

President of the Automotive Service Association of Ohio, Inc.