

CalABC President's Message



The Coalition and its members would like to thank everyone for their support this past year. We appreciate your support and look forward to a successful 2010.

The past year has left us with plenty of challenges as we have worked diligently together to address the many issues that face our industry.

We published our white paper on system services that establishes a standard for when and how these services are done.



Chris Walker our Legislative Advisor tracked no less than 52 bills (see the bills later in the newsletter) that made their way through the Senate and Assembly. Anything from mandatory paid sick days, meal and rest breaks, vocational education to tire degradation

were covered.

Chris' time at the capitol is invaluable given the many challenges our businesses face. He has worked diligently on your behalf to make sure that bills that harm our businesses are defeated and we have our voices heard. When bills are in our favor Chris is once again across the street at the Capitol making sure the bill have a chance to succeed.



Our Attorney, Robin Unander sent an Amici Curiae Brief to the Supreme Court arguing employees have discretion and a say in when they should take their breaks. This wasn't really addressed in Brinker because so much energy went toward enforce versus provide breaks. She took the angle that not all employees want to be told when to take their breaks, and may prefer on occasion, to take them at the end or beginning of a shift, or not necessarily even "clock out" for 30 minutes, but take advantage of down times to catch a break, which may be several that occur throughout a day.

The idea of rest and meal periods is to help employees which not a bad one, but it doesn't fit all

employment situations or all employees for that matter. The choice of to take a break or not, when, and for how long should be left to the employee not the employer. The employer should only have to allow the employee to take the permitted breaks and not hold it against the employee if he/she does exercise his/her rights.

Our business climate hasn't changed much, it's still very challenging in today's economic climate for businesses to succeed, not to mention all of the legislative and regulatory challenges before us.

One of the latest trends for Plaintiff's attorneys is to file suit for you not providing everyone a chair to sit in while they are not busy. This is in the Labor Code the language of the Wage Order:



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14. Seats

(A) All working employees shall be provided with suitable seats when the nature of the work reasonably permits the use of seats.

(B) When employees are not engaged in the active duties of their employment and the nature of the work requires standing, an adequate number of suitable seats shall be placed in reasonable proximity to the work area and employees shall be permitted to use such seats when it does not interfere with the performance of their duties.

As I read the provision, if the nature of the work reasonably permits them to sit, then each employee must have a seat. Otherwise, there must be "an adequate number" of seats.



What's an "adequate number?" I don't know, but I would err on the side of having more rather than less. That's why I suggest per bay or tech in the back shop and one per sales employee in the front shop. If you truly staff for "sharing" a chair, I would be concerned that would not be adequate, because there would be no way to predict there would be an empty chair when each employee was able to use it. It may sound like overkill – until you remember that it's California.

As we set our sights on 2010, the coalition will plan another series of meetings to address the issues our members and industry face. The first meeting will be held in either February or March of 2010 and the second meeting will be in the fall. We need to hear from you on the things that are important to you.

So take some time out of your busy schedule and let us know what you want the Coalition's leadership to work on in your behalf in 2010. Email them to my attention at: jgallo@bfrc.com. Thank you again for your support and we wish everyone a great and successful 2010!



Here are some of the bills Chris is tracking:

- AB 8 (Brownley) Education finance: working group.
- AB 19 (Ruskin) Greenhouse gas emissions: consumer product labeling.
- AB 35 (Furutani) Education: workforce preparation.
- AB 36 (Furutani) Public education: basic skills training.
- AB 48 (Portantino) Private postsecondary education: CA Private Postsecondary Education Act of 2009.
- AB 63 (Mendoza) Service contracts: retailers.
- AB 71 (Duvall) Categorical education funding: block grants.

- AB 72(Duvall) Pupil data.
- AB 78 (Portantino) Pupils: concurrent enrollment in community college and secondary or
- AB 141 (Tran) Employment: working hours.
- AB 177 (Price) Economic development: California Urban Communities Collaborative Initiative Act of 2009.
- AB 220 (Brownley) Public education facilities: Kindergarten - University Public Education Facilities Bond Act.
- AB 227 (Cook) Labor standards: consultation unit.
- AB 231 (Huffman) California Global Warming Solutions Act of 2006: Climate Protection Trust Fund.
- AB 236 (Swanson) Employment: car washes.
- AB 253(Fuller) Career technical education: pilot program.
- AB 318(Emmerson) Bureau of Automotive Repair: inspection fees.
- AB 323 (Yamada) Automobile tires.
- AB 393 (Yamada) Vehicle warranties: disabled rights.
- AB 484 (Eng) Franchise Tax Board: professional or occupational licenses.
- AB 496 (Davis) Tire age degradation: consumer disclosure.

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- AB 554 (Furutani) Graduation requirements.: 05/06/2009
- AB 591 (De La Torre) Insurance: referral fees: health plans and insurance: filings.
- AB 823 (Hill) Smog check: vehicle repair assistance and retirement program.
- AB838(Swanson)Occupational safety and health.
- AB 849 (Swanson) Family and medical leave.
- AB 859 (Jones) Smog check: annual inspection: repair assistance program.
- AB 1000 (Ma) Employment: paid sick days.
- AB 1200 (Hayashi) Motor vehicle insurance: direct repair programs.
- AB 1237 (Garrick) Vehicles: manufacturers and distributors.
- AB 1527 (Lieu) Motor vehicle emission reduction projects.
- SB 31 (Pavley) California Global Warming Solutions Act of 2006: revenue allocations.
- SB 167 (Ducheny) Solid waste: waste tires.
- SB 187 (Benoit) Employment: working hours.
- SB 287 (Calderon) Meal periods.
- SB 295 (Dutton) California Global Warming Solutions Act of 2006.
- SB 316 (Alquist) Health care coverage: benefits.
- SB 346 (Kehoe) Hazardous materials: motor vehicle brake friction materials.
- SB 350 (Yee) Aftermarket crash parts.
- SB 356 (Wright) Regulations: small businesses.
- SB 380 (Dutton) Meal periods.
- SB 385 (Wright) Historic motor vehicles: preservation.
- SB 389 (Negrete McLeod) Professions and vocations.
- SB 424 (Padilla) Vehicles: manufacturers and distributors.
- SB 427 (Negrete McLeod) Automotive repair: crash parts.
- SB 435 (Pavley) Smog check program: motorcycles.
- SB 436 (Aanestad) Contractors.
- SB 599 (Negrete McLeod) Workforce development.
- SB 627 (Calderon) Catalytic converters: junk dealers and recyclers.
- SB 810 (Leno) Single-payer health care coverage.

Johan M. Gallo

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Get Up to \$4,000 Scholarship or Loan Forgiveness

College is expensive. SEMA can help. If you know someone preparing for a career in the automotive industry, we're ready to lend a hand. And if you know someone with outstanding student loans, we can help, too. SEMA maintains a program to pay part of the college tuition costs of today's top students or contribute toward your employees' student loans.

The SEMA Memorial Scholarship

Fund is dedicated to fostering the next generation of industry leaders and innovators. We offer scholarships to today's brightest students at universities, colleges, and / or vocational schools. Awards range from \$1,000 - \$2,000, with \$4,000 going to the top student.

The SEMA Loan Forgiveness Program is dedicated to aiding recent graduates in getting off to a successful start in their

automotive aftermarket career. We offer a minimum of \$1,000 toward outstanding student loans for individuals who are employed by SEMA-member companies.

Applications are available online. www.sema.org/scholarships for details on how to apply for the SEMA Memorial Scholarship Fund or for the SEMA Loan Forgiveness program.

Automotive Industry Alert Effective January 1, 2010

Lead Wheel Weights Banned in California



ALERT -- As of next Friday, January 1, 2010 lead wheel weights are banned in California. If anybody installs a lead wheel weight on or after this date they could be held liable for administrative and civil penalties not to exceed \$2,500 per day for each violation (each weight).



SB 757 (Pavley) was passed by the legislature and signed into law in 2009. This measure prohibits the

manufacture, sale, or installation in California of wheel weights that contain more than 0.1% lead. The Department of Toxic Substances Control has been given the responsibility of enforcing the provisions of SB 757.

In addition to enforcement action taken by DTSC, it is important to note that this new law could lead to predatory trial lawyers seeking Business and Profession 17200 actions against California small businesses who they allege have violated the law. Remember the Trevor law firm?

Protect yourself and your business now. Make sure you have eliminated the lead wheel weights from your inventory (return them to your wholesaler) and have replaced them with alternative wheel weights made of zinc or steel – BEFORE FRIDAY JANUARY 1, 2010.

This bill:

- Prohibits a person from manufacturing, installing, or selling in California any wheel weight that contains more than 0.1 percent lead by weight on or after January 1, 2010;
- Authorizes injunctive relief against any person who violates or threatens to violate its

provisions;

- Limits enforcement to administrative or civil penalties, not criminal, up to \$2,500 per day for each violation;
- Provides a set of instructions to guide the assessment of penalty amounts;
- Requires that collected penalties be placed into the Hazardous Waste Control Account; and
- Allows DTSC, upon appropriation by the Legislature, to expend the penalty funds for purposes of implementation and enforcement of SB 757.

Why Did California Adopt this Law?

The following is an excerpt from written materials of the bills supporters:

While lead is an element that occurs naturally in U.S. soils, human activities – including the use of lead in wheel balancing weights – have caused our exposure to lead to dramatically increase. Levels in our environment are about a thousand times greater than they were a few hundred years ago.

Wheel weights are used on about 80 percent of U.S. cars and trucks to keep wheels balanced. A wheel that is out of balance vibrates, causing the tire to wear out quickly and make the vehicle difficult to handle. Wheel weights have been made out of lead since the 1930s. According to the U.S. Geological Survey and U.S. Federal Highway Administration, about 65,000 tons of lead wheel weights were in use on the more than 200 million cars and trucks driven in the United States

in 2003. Approximately 2,000 tons of these weights fall from vehicles every year. Most weights are lost on city streets when vehicles hit curbs, bounce over potholes, stop or accelerate suddenly, or turn sharply. Once lost from vehicles, they are worn down by traffic, and the lead is spread by wind or water.

The accumulation of lead wheel weights on urban roads likely contributes to the lead found in urban runoff. Storm water can sweep this lead into nearby creeks and sewers, ultimately washing it into nearby waterways where it can adversely affect water quality, especially groundwater and aquatic ecosystems. In addition, small lead particles can be tracked into homes where they add to the lead exposure of individuals who live near busy streets, potentially impacting low-income communities more than others.

A long list of problems has been linked to lead exposure by the U.S. Public Health Service: lowered intelligence, behavior problems, cancer, strokes, high blood pressure, kidney problems, anemia, cavities, and delayed puberty. Children are particularly susceptible to lead's toxic effects.



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FEET on the STREET

Batten down the hatches or button up your chin strap?

By Bud Rice



I have blended two common sayings into one sentence. Batten down the hatches is an old sailor's term for making sure the doors and hatches are closed and locked tight because there are storms ahead and we don't want our ship to become water logged. Button up your chin strap relates to football where once you hit the field you better be ready for action.



I used these two terms because as I talk to different shop owners they seem to fall into one of two camps. Batten down the hatches – there is no business, things are really bad out there, and I am taking on water. The other is the button up your chin strap group who are refocusing their efforts to compete in the marketplace.

It is true that during this tough economy everyone is looking for answers. Shop owners across the country are ALL experiencing the same issues. Where are all the customers? When they do come in they only want the bare

minimum services. I have full crews waiting for action that never comes – now what?

If I raise my prices to cover the increased costs of delivery, energy and so on that will only make matters worse because I may end up driving customers away with higher prices. If I lower my prices I run the risk of generating more work, but it may likely be unprofitable work. In the meantime the clock is running..... I am getting further and further into the month without much to show for it.

Whether you are a small "mom and pop" operation or a big multi-unit chain the situation is the same. At least in a small outfit you have the ability to control more of the factors that are in play. Things like payroll and overtime, office expenses and tools and supplies.

You can make sure no-one tangles the scope leads into the engine you are working on so you don't have to call the equipment maintenance company.

You can make sure the cars are not being banged into each other so you don't have to call the insurance company.

You can be a more hands on influence over the mistakes that happen which that by the way always seem to happen when things slow down.

In addition you can make sure that every car is going out with a good "look-see" to make sure there aren't other products and services that would be a good fit for that car and then discuss them with your customer.

Of course you MUST make sure there are true needs and you are not OVER-SELLING, but if so; do a good presentation for your customer and don't decide ahead of time for them. In other words don't decide that the economy is tough and my customer wouldn't want that set of wiper blades for their car; your job is to bring it to their attention and let them decide.

In the end however you only have two ways to increase the revenues of your operation.

- The first is to find new customers. This usually means you have to get them from somebody else. They are unhappy with their current provider and are willing to give you a chance. It is unlikely you will create customers out of thin air; they are coming from someplace else. Along this line you need to make sure you are ready for them and you look the part of the kind of place they want to do business with. We are working on an article that goes more into depth on this topic.

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• The second way is through incremental sales. This means that your current customers buy more of the products and services you offer. The only way that is going to happen is if you do good inspections; find areas they could use some help with and discuss that with them, along with recommendations and options. Customers will appreciate you taking the



time to give their car a good checkup.

So I guess in the end you have to do both. Batten down the hatches and making sure you are not leaking money with expenses you should not be spending money on and buttoning up your chin strap to compete in the marketplace.

Keep focused on your operation and make sure you and your crew are ready for action when it does happen. Make sure your

customers know how much you appreciate their business and you want to be their service center of choice. Don't give them a reason to drift and end up down on the road on someone else's new customer group.

Happy holidays and we'll talk again next year!

-Bud

Bud Rice is Secretary on the CalABC Executive Board of Directors and is President of Side B Corporation the Franchisor for Quality Tune-Up in the North Bay, Peninsula, East Bay and Napa Valley with 16 locations. You can contact Bud at budr@sidebcorp.com or 408-374-2001.

Automotive Technicians Training Standards (ATTS) Updated

Over the past year a group of dedicated automotive professionals volunteered their time to update the ATTS Program to meet the changes in the Automotive Repair Service Industry. A revision task force was formed to review the standards for all three levels addressing both the Program Inspection and the Skills Inspection. The group reviewed the procedures for the inspection of the three program levels. All the requirements that a program must meet to earn industry endorsement were discussed and updated as identified. The Skills the students must demonstrate proficiency was revised to meet

current industry standards. The revisions were reformatted by Mary Megarry in the ATTS office. The new standards are posted on the CalABC website www.calabc.org and the California Automotive Teachers (CAT) website www.calautoteachers.com.

ATTS is a process developed by industry and educators to evaluate educational automotive programs. The process will evaluate a program to an ATTS defined minimum level of job entry skills. After evaluation, program strengths and weaknesses will be identified and a determination will be made if the program

meets industry training standards. If the program meets ATTS standards, it will receive certification. The ATTS Program is administrated by the California Automotive Business Coalition (CalABC) Educational Foundation.

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Automotive Technicians Training Standards (ATTS) Updated.....

By George Hritz

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Enterprises and Stuart Terry who owns Stuart Terry Auto Repair. Paul has forty-one years of experience he is an ASE Master Tech and has a Smog, Brake and Lamp License he is a member of the CalABC Executive Board. Glen has owned his own repair dealership for twenty-seven years and is the ASCCA President for 2009. Terry is a repair dealership owner and has been a

technician for the last thirty-four years he is the 1st Vice President of ASCCA.

Representing education were Richard Williams of Oxnard College, Chuck Rockwood of Ventura College, Tim Gilles of Santa Barbara City College and George Hritz of College of Marin. Richard a technician with thirty plus years of industry experience and has taught full time at the high school level for eleven years and now is a full time instructor at Oxnard. Chuck has fourteen years industry experience and twenty-nine years of teaching college, Chuck is a past President of CAT. Tim has been a college automotive teacher for over thirty years he is also the author of several textbooks, Tim is a past president of CAT. George has been an automotive instructor for over thirty-three years at both the high school and college

levels he is a member of the Advisory Group to the Bureau of Automotive Repair and is a past President of CAT.

What's next? In the Spring of 2010 ATTS will organize a group of industry technicians and educators to develop a new certification in the area of Light Duty Diesel Technologies. A skills list of entry level procedures will be developed to be used by automotive training programs for teaching new technicians. Professional technicians who need to learn these technologies for their jobs will be able to take advantage of these new certified training programs.

For more information contact George Hritz, ATTS Program Manager at george.hritz@sbcglobal.net



Senate Bill 167, Chapter 333 Public Resources Code, Relating To Solid Waste.....



The California Tire Recycling Act imposes a California tire fee on a new tire purchased in the state. The revenue generated from the fee is used, upon appropriation by the Legislature, for the purposes of programs related to waste tires. The act requires the California Integrated Waste Management Board to adopt a 5-year plan,

which is to be updated biennially, to establish goals and priorities for waste tire programs that include, among other things, specified border region activities, conducted in coordination with the California Environmental Protection Agency, related to waste tires in the California-Mexico border region. This bill would, additionally, require the 5-year plan to include, as a border activity, the development of projects in Mexico in the California-Mexico border region, including education, infrastructure, mitigation, cleanup, prevention, reuse, and recycling projects, that address the movement of used tires from California to Mexico that are eventually disposed of in California.

The bill would authorize the board, upon appropriation by the Legislature, to use the revenues generated from the California tire fee to fund border activities.

The people of the State of California do enact as follows:

Section 1. The Legislature finds and declares all of the following:

- (a) According to the California Integrated Waste Management Board's Five Year Plan for the Waste Tire Recycling Management Program, Fourth Edition, issued on July 1, 2007, nearly 2.3 million reusable and waste tires were

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exported from California with many of the tires exported to Mexico.



(b) Many of the tires exported to Mexico have a very short life span and are illegally disposed of or are used inappropriately for structural purposes in shanty towns and colonias in or near the City of Tijuana, Mexico.

(c) Illegally disposed tires on the Mexico side of the border have caused environmental issues in California, such as tires entering into the Tijuana Estuary and smoke from tire fires in Mexicali dispersing into Calexico.

(d) During the wet weather months, stormwater carries thousands of waste tires back across the border from Tijuana into California through the Tijuana River channel and open culverts in the border fence.

(e) Waste tires from Tijuana blanket the sensitive ecosystems of the Tijuana River Valley, Estuary, and Border Field State Park. Approximately 80,000 pounds of tires are removed by hand each year from the river, sediment basins, and the sensitive habitats of the Tijuana River Valley and the Tijuana River National Estuarine Research Reserve.

(f) Waste tires that cannot be removed serve as breeding grounds for mosquitoes, viruses,

and rodents threatening the public health.

(g) Federal, state, and local agencies spend between five dollars (\$5) and thirteen dollars (\$13) to excavate each tire that is ultimately deposited in a California landfill.

(h) It is more efficient and cost effective to work directly with agencies in Baja California to invest in, and develop cooperative recycling and reuse projects, mirroring the effective waste tire programs in California.

SEC. 2. Section 42885.5 of the Public Resources Code is amended to read: 42885.5.

(a) The board shall adopt a five-year plan, which shall be updated every two years, to establish goals and priorities for the waste tire program and each program element.

(b) On or before July 1, 2001, and every two years thereafter, the board shall submit the adopted five-year plan to the appropriate policy and fiscal committees of the Legislature. The board shall include in the plan, programmatic and fiscal issues including, but not limited to, the hierarchy used by the board to maximize productive uses of waste and used tires, and the performance objectives and measurement criteria used by the board to evaluate the success of its waste and used tire recycling program. Additionally, the plan shall describe each program element's effectiveness, based upon performance measures developed by the board, including, but not limited to, the following:

(1) Enforcement and regulations relating to the storage of waste and used tires.

(2) Cleanup, abatement, or other remedial action related to waste tire stockpiles throughout the state.

(3) Research directed at promoting and developing alternatives to the landfill disposal of waste tires.

(4) Market development and new technology activities for used tires and waste tires.

(5) The waste and used tire hauler program and manifest system.

(6) A description of the grants, loans, contracts, and other expenditures proposed to be made by the board under the tire recycling program.

(7) Until June 30, 2010, the grant program authorized under Section 42872.5 to encourage the use of rubberized asphalt concrete technology in public works projects.

(8) Border region activities, conducted in coordination with the California Environmental Protection Agency, including, but not limited to, all of the following:

(A) Training programs to assist Mexican waste and used tire haulers to meet the requirements for hauling those tires in California.

(B) Environmental education training.

(C) Development of a waste tire abatement plan, with the appropriate government entities of California and Mexico.

(D) Tracking both the legal and illegal waste and used tire flow across the border and recommended revisions to the waste tire policies of California and Mexico.

(E) Coordination with businesses operating in the border region and with Mexico, with regard to applying the same environmental and control requirements throughout the border region.

(F) Development of projects in Mexico in the California-Mexico border region, as defined by the La Paz Agreement, that include, but are not limited to, education, infrastructure, mitigation, cleanup, prevention, reuse, and recycling projects, that address the movement of used tires from

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California to Mexico that are eventually disposed of in California.

(c) The board shall base the budget for the California Tire Recycling Act and program funding on the plan.

(d) The plan may not propose financial or other support that promotes, or provides for research for the incineration of tires.

SEC. 3. Section 42889 of the Public Resources Code, as amended by Section 26 of Chapter 696 of the Statutes of 2008, is amended to read: 42889.

(a) Commencing January 1, 2005, of the moneys collected pursuant to Section 42885, an amount equal to seventy-five cents (\$.75) per tire on which the fee is imposed shall be transferred by the State Board of Equalization to the Air Pollution Control Fund. The state board shall expend those moneys, or allocate those moneys to the districts for expenditure, to fund programs and projects that mitigate or remediate air pollution caused by tires in the state, to the extent that the state board or the applicable district determines that the program or project remediates air pollution harms created by tires upon which the fee described in Section 42885 is imposed.

(b) The remaining moneys collected pursuant to Section 42885 shall be used to fund the waste tire program, and shall be appropriated to the board in the annual Budget Act in a manner consistent with the five-year plan adopted and updated by the board. These moneys shall be expended for the payment of refunds under this chapter and for the following purposes:

(1) To pay the administrative overhead cost of this chapter, not to exceed 6 percent of the total revenue deposited in the fund annually, or an amount otherwise specified in the annual Budget Act.
(2) To pay the costs of administration associated with collection, making refunds, and auditing revenues in the fund, not to exceed 3 percent of the total revenue deposited in the

fund, as provided in subdivision (c) of Section 42885.

(3) To pay the costs associated with operating the tire recycling program specified in Article 3 (commencing with Section 42870).

(4) To pay the costs associated with the development and enforcement of regulations relating to the storage of waste tires and used tires. The board shall consider designating a city, county, or city and county as the enforcement authority of regulations relating to the storage of waste tires and used



tires, as provided in subdivision (c) of Section 42850, and regulations relating to the hauling of waste and used tires, as provided in subdivision (b) of Section 42963. If the board designates a local entity for that purpose, the board shall provide sufficient, stable, and noncompetitive funding to that entity for that purpose, based on available resources, as provided in the five-year plan adopted and updated as provided in subdivision (a) of Section 42885.5. The board may consider and create, as appropriate, financial incentives for citizens who report the illegal hauling or disposal of waste tires as a means of enhancing local and statewide waste tire and used tire enforcement programs.

(5) To pay the costs of cleanup, abatement, removal, or other remedial action related to waste tire stockpiles throughout the state, including all approved costs incurred by other public agencies involved in these activities by contract with the board. Not less than six million five hundred thousand dollars (\$6,500,000) shall be expended by the board during

each of the following fiscal years for this purpose: 2001–02 to 2006–07, inclusive.

(6) To make studies and conduct research directed at promoting and developing alternatives to the landfill disposal of waste tires.

(7) To assist in developing markets and new technologies for used tires and waste tires. The board's expenditure of funds for purposes of this subdivision shall reflect the priorities for waste management practices specified in subdivision (a) of Section 40051.

(8) To pay the costs associated with implementing and operating a waste tire and used tire hauler program and manifest system pursuant to Chapter 19 (commencing with Section 42950).

(9) To pay the costs to create and maintain an emergency reserve, which shall not exceed one million dollars (\$1,000,000).

(10) To pay the costs of cleanup, abatement, or other remedial action related to the disposal of waste tires in implementing and operating the Farm and Ranch Solid Waste Cleanup and Abatement Grant Program established pursuant to Chapter 2.5 (commencing with Section 48100) of Part 7.

(11) To fund border region activities specified in paragraph (8) of subdivision (b) of Section 42885.5.

(c) This section shall remain in effect only until January 1, 2015, and as of that date is repealed, unless a later enacted statute that is enacted before January 1, 2015, deletes or extends that date.

SEC. 4. Section 42889 of the Public Resources Code, as amended by Section 27 of Chapter 696 of the Statutes of 2008, is amended to read: 42889. Funding for the waste tire program shall be appropriated to the board in the annual Budget Act. The moneys in the fund shall be expended for the payment of refunds under this chapter and for the following purposes:

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(a) To pay the administrative overhead cost of this chapter, not to exceed 5 percent of the total revenue deposited in the fund annually, or an amount otherwise specified in the annual Budget Act.

(b) To pay the costs of administration associated with collection, making refunds, and auditing revenues in the fund, not to exceed 3 percent of the total revenue deposited in the fund, as provided in subdivision (b) of Section 42885.

(c) To pay the costs associated with operating the tire recycling program specified in Article 3 (commencing with Section 42870).

(d) To pay the costs associated with the development and enforcement of regulations relating to the storage of waste tires and used tires. The board shall consider

designating a city, county, or city and county as the enforcement authority of regulations relating to the storage of waste tires and used tires, as provided in subdivision (c) of Section 42850, and regulations relating to the hauling of waste and used tires, as provided in subdivision (b) of Section 42963. If the board designates a local entity for that purpose, the board shall provide sufficient, stable, and noncompetitive funding to that entity for that purpose, based on available resources, as provided in the five-year plan adopted and updated as provided in subdivision

(a) of Section 42885.5. The board may consider and create, as appropriate, financial incentives for citizens who report the illegal hauling or disposal of waste tires as a means of enhancing local and statewide waste tire and used tire

enforcement programs.

(e) To pay the costs of cleanup, abatement, removal, or other remedial action related to waste tire stockpiles throughout the state, including all approved costs incurred by other public agencies involved in these activities by contract with the board. Not less than six million five hundred thousand dollars (\$6,500,000) shall be expended by the board during each of the following fiscal years for this purpose: 2001–02 to 2006–07, inclusive.

(f) To fund border region activities specified in paragraph (8) of subdivision (b) of Section 42885.5.

(g) This section shall become operative on January 1, 2015.

Bad Economy, Good Business for Auto Repair Industry

By Chelsea Kopta

When was the last time you brought your car into the shop?

If your car has a blown gasket, worn brake pads, or even a dying engine, it's not just your old clunker filling up garages anymore.

These days a shaky economy has drivers opting for fixed on cars they already have. That means car repair companies are cashing in.

"We see everything from basic maintenance to major repair," says Perfection Tire and Auto Repair technician Shaun Maestas.

Maestas explains that people who used to put off normal maintenance are now frequently updating their vehicles, hoping they'll last longer.

"Couple years ago you wouldn't see a person put \$6,000 into an engine when you could put \$6,000 on a down payment for a new car," Maestas said.

Many repairs aren't minor either. They often require several days of work and can cost thousands of dollars. One driver recently dropped \$2,500 to fix a head gasket on a decade-old car.

"This happens every time we have a recession," Tri-Cities Battery and Auto Repair Technician Douglas Wilson said.

Wilson's shop has repaired dozens of cars with rumbles, squeaks and rattles -- considered secondary repairs -- as people stretch the miles as far as they can.

"We see a lot of vehicles between 130,000 and 200,000 miles that you wouldn't normally see," Wilson said. "This time, I'm probably going to keep my pick up longer."

"Because of the economy?" we asked. "Exactly."

Another factor: while dealerships are hoping to get you in the door,

many customers with bad credit are struggling to get a loan.

"They're the ones that are going to have a little more trouble. We're seeing us have to work a lot harder to get car deals approved," says Honda Finance Manager Jesse Arriaga.

There's no denying the big boost all this gives auto shops. Sales at Perfection Tire and Auto Repair are already 54 percent higher than this time last year.

CalABC
California Automotive Business Coalition
Representing Industry to Government since 1992

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Fluid Rx® Honored with PTEN Innovation Award

Professional Tool & Equipment News (PTEN), the independent tool authority to the automotive repair industry, honored Fluid Rx with the Innovation Award for "Preventative Maintenance Tool of the Year". This marks the second time in recent years that a Fluid Rx product has won a PTEN Innovation Award.

Judges for PTEN's Innovation Award were composed of a panel of active and independent techs, shop owners, mechanics and tool distributors. The group of trained professionals scrutinized the nominees and focused on special new tools that increase productivity and simplify tasks in the service bays.

The awarding winning Fluid Rx Instant Lubricant Diagnostics technology is packaged into a user friendly testing and analysis tool that shows the technician and customer alike when vehicle fluids need servicing; including coolants, transmission, power steering and brake fluids. The consumer sees what the service writer sees at the same time. There is no guesswork, with results verified within minutes.

PTEN review panelist Dustin Poeppel of Mark's Auto in Fort Atkinson, Wisconsin, sees the Fluid Rx Instant Lubricant Diagnostics kit as an essential tool to help shops communicate better with their customers. "These strips are especially useful when you have a car in that you suspect the fluids need to be changed," Dustin said.

"You can use the strips to get hard evidence to show to the customer the fluid condition . . . especially for brake or transmission service that people don't think about as frequently as oil."

"It also gives the customer the opportunity to ask more questions about their car . . . and the more proof we can show them, it improves the service we can give."

"The strips were very easy to use, and the process fairly self-explanatory. And the strips show little extras – like moisture in the oil, or freeze point and alkalinity of the coolant."

Banny Hom of Hom Automotive in El Cajon, California concurs saying, "customers have been very impressed with the results and have a renewed faith that we are genuinely interested in the wellbeing of their car."

Fluid Rx, "The Leader in Instant Lubricant Diagnostics", ups ticket averages and bolsters customer loyalty and retention. Fluid Rx diagnostics increases fluid services and chemical sales by reinforcing service recommendations – providing a



simple and accurate verification that a fluid should be changed in accordance with MAP/AMRA UICS fluid recommendations and California BAR guidelines.



For more information, contact:
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CALABC collaborates with the Automotive Maintenance Repair Association (AMRA/MAP) whose combined management organization is the most powerful coalition of its type for any particular industry in California.

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■ **2010 Membership Dues**

In 2010, the Coalition is already hard at work to effectively utilize the financial resources that you and your Organization or Company annually provide for the Coalition to:

- Unite the automotive industries in California;
- Promote and safeguard California's automotive aftermarket repair industry;
- Create the financial wherewithal to properly lobby issues of importance;
- Develop a sound grass roots coalition of both large corporations and small business; and
- Work to develop standards for various system flushes and other services.

Our job approaching issues as a coalition, rather than as individual entities, promoting less government intervention and a more unified and proactive automotive repair is ongoing and rewarding to our industry.

The ultimate goal is to create a win for consumers, industry and government by improving our industry in all areas.

Please remain a vital part of the ongoing success and accomplishment of the Coalition by paying your 2010 membership dues.

It will secure your organization's important position and role within the Coalition

Not a member? Join Today!