



NABA
Nebraska Auto Body Association

Nebraska Collision Industry Shop Bytes

January 9, 2011

The Nebraska Auto Body Association has released a summary of its labor rate study, whose purpose was to provide an independent validation of average rates charged throughout Nebraska. NABA supports a healthy competitive environment with reimbursements that are sufficient to indemnify claimants. NABA's labor rate validation study is [available here](#).

NABA has researched Nebraska laws pertaining to disclosure of confidential and proprietary business information such as a shop's wholesale pricing for purchased parts and supplies. Requests by insurers and claims processors for information considered by shops to be proprietary may violate [Nebraska Chapter 8, Article 14 §§8-1401 - 8-1403](#) which (in part) reads:

(1) No person organized under the Business Corporation Act...or otherwise authorized to conduct business in Nebraska shall be required to disclose any records or information, financial or otherwise, that it deems confidential concerning its affairs or the affairs of any person with which it is doing business to any person, party, agency, or organization.

To protect their proprietary business information shop may wish to make the requesting party aware of the applicable Nebraska statute. The law makes exceptions for legal processes including subpoenas and tax audits.

Nebraska's 2012 legislative session is in full swing with proposed legislation introduced that could affect business owners. Thus far new legislation would allow employees to keep guns and ammunition in their vehicles while at work and also ban employers from having policies that prevent employees from keeping legal guns in an employer's parking lot. In addition, the proposed legislation would allow employees to sue an employer if he or she was injured as a result of not having access to their firearms. Additional introduced legislation would change commercial drivers license provisions; make it illegal to use cell phones or text in certain areas; change employer hiring policies; require employers to maintain employee emergency contact information; change commercial driver's medical examination provisions, and prohibit texting while driving a commercial motor vehicle. This list is only partial and preliminary and NABA will compile a summary of legislation that may impact collision repair facilities and provide additional updates.

Allstate had launched its new claims satisfaction guarantee, which promises its customers that they will be satisfied with their auto claims service or get a credit to their automobile policies. Under the new plan, if an eligible customer is not happy for any reason with the service received on a paid auto claim, Allstate will provide a credit to the customers auto policy.

West Virginia's Attorney General filed a lawsuit against Liberty Mutual and one of its network shops for repeated consumer protection violations. In his complaint, the attorney general alleged that Liberty Mutual had practices in place that required vehicle repairs to be made with reconditioned, remanufactured and used parts, a practice that can violate West Virginia consumer protection laws. The complaint also alleged that Liberty Mutual did not provide claimants with proper disclosures regarding parts used. Claimants whose vehicles were repaired with parts that did not meet West Virginia guidelines may be eligible for compensation. Nebraska aftermarket parts regulations fall under title 210 Chapter 45 which in parts reads: *"No insurer shall require the use of after market parts in the repair of an automobile unless the after market part is at least equal in like, kind, and quality to the original part in terms of fit, quality and performance."*

SCRS launched a research project to document the condition of parts as received by shops. If you have examples of poor quality, mislabeled, incorrect or incomplete parts SCRS is asking you to complete a [parts complaint form](#) which will be submitted to the SCRS office along with photos, documentation to substantiate the complaint. SCRS is compiling this information for research, and will not be responding to individual complaints, nor necessarily directly addressing the quality issues raised. If you have a complaint that requires immediate attention, please contact the manufacturer, distributor or certifier of the product directly. To assist shops with filing complaints NABA placed a link under the 'What's New' section of its web site at <http://www.nebraskaautobody.com>

**Renew Your Membership in the
Nebraska Auto Body Association**

<http://www.nebraskaautobody.com/filedownloads/memberap1&2.pdf>

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