

RICKENBAUGH

AUTOMOTIVE GROUP


10/05/2018

To Whom It May Concern,

Rickenbaugh Automotive Group, (DBA: Rickenbaugh Cadillac Co., Rickenbaugh Volvo Inc., Rickenbaugh INFINITI, Rickenbaugh Collision Repair Center), recently met with our garage keepers insurance partner to discuss liability regarding collision repairs. Our insurance partner called the meeting to ask us what our processes and procedures were with regard to following OEM repair procedures, position statements, and programming of vehicles equipped with ADAS systems. They explained what had happened in the John Eagle Collision Center case when they had not followed proper repair procedures that had resulted in serious injuries to the owners of the vehicle. From the improper repair a lawsuit was filed and damages of \$42 million were awarded to the owners of the vehicle. Our insurance partner wanted us to verify that we are following all recommended and required repair procedures for all OEM's. They informed us that in a court of law there would be no difference in how the court viewed the words recommend and required. They felt that any procedure that was labeled recommended would be viewed as required and we would be liable in a court of law.

They explained that the insurance providers are currently not properly educating their field staff about these procedures, and that it is our responsibility to make sure that we do not deviate from any required or recommended repair procedure. They stated that should there be an incident and we were found to have not followed, and documented the OEM repair procedures that they could deny coverage. Due to the extreme liability that we have when repairing vehicles Rickenbaugh Automotive Group will not allow any of its businesses to deviate from ANY recommended or required OEM procedures. We are also requiring all of our leaders (Managers) to properly document each and every file to verify that any and all OEM required and recommended procedures were performed as specified by the OEM. They have been told that failure to do so will result in immediate termination. We will also be documenting any and all instances where an insurance provider attempts or recommends deviating from a required or recommended OEM repair procedure or position statement to the Colorado Insurance Commission for review. Please remember that we are in the business of saving lives, not cutting costs. If your company will not comply with the recommended and required OEM repair procedures we will not be able to fix the vehicle.

Regards,



Nick Pacifico
Vice President



777 Broadway | Denver, CO 80203 | 303-573-7773

