
SSRA

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September 2013

Health-Law Employer Mandate Delayed Until 2015

The Obama administration announced that the employer mandate of the health-care law would be delayed another year.

“The Obama administration will not penalize businesses that do not provide health insurance in 2014,” wrote the Washington Post, adding, “Instead, it will delay enforcement of a major Affordable Care Act requirement that all employers with more than 50 [full-time] employees provide coverage to their workers until 2015.”

In a WhiteHouse.gov blog post, Valerie Jarrett, senior advisor and assistant to the president for intergovernmental affairs and public engagement, wrote that the administration believes that employers need more time for compliance: “Since employer responsibility payments can only be assessed based on this new reporting, payments won’t be collected for 2014. This allows employers the time to test the new reporting systems and make any necessary adaptations to their health benefits while staying the course toward making health coverage more affordable and accessible for their workers,” she wrote.

Moving forward, Jarrett offered a quick review of what small and large businesses will need to know about the health law:

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- If you are a small business with less than 50 workers, the law’s employer shared responsibility policies does not apply to you. Instead, you will gain access to the Small Business Health Options Program that gives you the purchasing power of large businesses. In fact, you may be eligible for a tax credit that covers up to half the cost of insurance if you offer quality coverage to your employees .If you own a business with more than 50 workers that already offers full-time workers affordable, quality coverage, you are fine – we’ll work with you to keep that coverage affordable.
- And if you are a company with more than 50 employees but choose not to offer quality affordable coverage, we have provided as much flexibility and transition time as possible for you to move to providing affordable, quality coverage to your workers.”

Stay tuned for more information as it becomes available.

U.S. House Members Consider E15 Rollback

While the Supreme Court decided last month not to hear arguments against enlarging the use of ethanol in the United States, there is a growing number of House Republicans seeking to roll back the 2007 Energy Act and its Renewable Fuel Standard (RFS) mandate, Daily Tech reports.

“We need to review this and changes need to be made,” Rep. Fred Upton (R-MI) chairman of the Energy and Commerce Committee, told the Detroit News. “We’re hoping to come up with something that’s reasonable and constructive and bipartisan,” perhaps by the end of the year.

House lawmakers are debating whether to kill the bill or modify it by scaling back its targets. Rep. Joe Barton (R-TX) has proposed killing it, while Rep. Ed Whitfield (R-KY) wants to revise it. “We want is an RFS (renewable fuel standard) that can work for everyone involved, be it farmers, renewable fuel producers, refiners, and automakers. And most importantly, we want a policy that benefits the American driving public,” Whitfield said.

Should the House act on killing or revising the law, it is unknown what would happen if such a bill makes it to the Senate floor.

“The Democratic controlled Senate has shown very little interest in trimming back corn ethanol blending targets,” Daily Tech notes, adding, “Thus it remains to be seen whether an effort to scale back targets can survive, amidst heavy lobbying from the corn industry,” The news source concluded that it’s a matter of time before E15 arrives at pumps across the nation — “even if that fuel damages your older vehicle, RV, boat or motorcycle.”

Court Rules In Retailers' Favor On Swipe Fees

The U.S. District Court in Washington, D.C., issued its opinion today in our challenge to the Federal Reserve Board's debit card interchange rules. The opinion reads:

"Upon consideration of the pleadings, oral argument, and the entire record therein, the Court concludes that the Board has clearly disregarded Congress's statutory intent by inappropriately inflating all debit card transaction fees by billions of dollars and failing to provide merchants with multiple unaffiliated networks for each debit card transaction. Accordingly, the plaintiffs' motion is GRANTED and defendant's motion is DENIED."

This fundamentally means that we won on all counts. This case was brought by NACS and several other trade associations, along with several merchants, including NACS retail member and past Chairman Jeff Miller. Our claim was that when the Federal Reserve Board released its final rule on the Durbin Amendment, the debit fees that the largest banks were allowed to charge were far higher than the law would allow. This resulted in an approximate 22-cent per transaction fee — far above the 7- to 12-cent fee originally proposed by the Fed.

Along with the higher fee, this created the paradoxical situation where small ticket transactions conducted with debit cards actually generated higher fees. Also, the ability for merchants to choose between unaffiliated routing was hampered by the final rule.

What happens now is not entirely clear. The Fed could appeal the decision to the Circuit Court of Appeals for the District of Columbia. If that were to happen, the current rule is likely to remain in place while the appeal is pending.

If the Fed does not appeal, Judge Leon has asked for the plaintiffs' and the Fed's views of what should happen next. Open questions include:

- How long it should take the Fed to correct the problems with the current rule,
- Whether there should be an interim rule put in place while the Fed does its work, and
- Whether the current regulations should remain in effect while the Fed comes up with a new rule.

Many of these questions could get sorted out when the court holds a status conference on August 14. The Judge, however, indicated in the decision that he expected corrections to the regulations to take "months, not years."

If the Fed does decide to appeal the decision, that process could take a year or more to get resolved. Following the appeal, if the District Court decision (or part of it) is upheld, then the same questions about the process and timing for correcting the rule will be before the District Court.

Record Sales Predicted For E-Cigarettes

Sales of electronic cigarettes should soon arrive at \$1 billion, or around 1% of traditional cigarette sales, according to analysts at Wells Fargo, ABC News reports. In 2012, e-cigarettes registered \$500 million in sales.

The number of adult smokers who have tried e-cigarettes rose from 10% in 2010 to around 21% in 2011, according to the Centers For Disease Control and Prevention. "Overall, about 6% of all adults have tried e-cigarettes, with estimates nearly doubling from 2010," the CDC said of its February 2013 survey.

"E-cigarette use is growing rapidly," said CDC director Tom Frieden. "There is still we do not know about these products."

The growing popularity of e-cigarettes have attracted investors, as well as traditional tobacco companies. Eli Alelov, CEO of LOGIC Technology, which makes LOGIC e-cigarettes, said e-cigarettes will grab 30% to 40% of traditional smokers within five years.

A Backdoor Approach to Union Organizing

Bronx, NY.-Juan Campis was sweating in the 90 plus degree heat as he whipped a white towel across a gleaming black Chevy TrailBlazer at a carwash here—one of six in the city that was unionized in recent months with help from two nonprofit community groups.

"They're the ones that kept us all together and showed us the steps we need to take," Mr. Campis, 20 years old, said of the community groups. Workers probably wouldn't have joined the union without daily contact from the two groups, he said.

The community groups, called workers centers, are often backed by unions. But they aren't considered "labor organizations" by law because they don't have continuing bargaining relationships with employers. That gives them more freedom in their use of picketing and other tactics than unions, which are constrained by national labor laws.

The new approach is sparking a backlash from some businesses, who call it an end-run around labor laws that can be used to help unionize new groups or workers.

The Center for Union Facts, which opposes organized labor and gets much of its funding from corporations, said it is launching an advertising campaign criticizing ties between unions and worker centers.

"It's a more potent strategy than unions have used in the past," said J. Justin "Wilson, managing director of the Center for Union Facts. Worker centers are "winning hearts and minds with positive things like language classes, while worker centers create strife and conflict within a company."

John Raudabaugh, a former Republican member of the National Labor Relations Board, said he believes most worker centers have limited their activities to community activities permitted under the law. But he expects more legal challenges to decide whether the groups are crossing a legal line. "the question is, have those organizations had conversations with the employer or is it just one-way pressure?" he said.

As union membership has fallen to 6.6% of the private sector, organized labor sees the worker centers as a new way to grow its ranks while mobilizing workers of all stripes.

Workers who are first organized by worker centers can be later organized by unions. That is what happened with

nearly 200 carwash workers in Los Angeles and New York, organized by the Retail, Wholesale and Department Store Union and the United Steelworkers. The steelworkers union also is trying to organize several hundred pizza factory workers in Wisconsin who joined a worker center.

“It’s the future of organized labor, said Stefan Marculewicz, an attorney who represents companies in labor disputes. “A lot of companies are looking at this and saying “Where am I next?”

The New York Taxi Workers Alliance claims 17,000 members, while the National Domestic Workers Alliance has 10,000 members who work as housekeepers, nannies and other caregivers. The taxi workers group is one of several worker centers that have affiliated with the AFL-CIO and in turn pay a membership fee to the federation.

Twenty years ago, there were only a handful of worker centers in the U.S. many of those were formed in southern states - where there were few unions – to work with textile workers.

Today, there are more than 200, some with very specific missions, such as the Koreatown Immigrant Workers in Los Angeles and the Coalition of Immokalee Workers, which works with immigrant workers who harvest tomatoes in Florida.

Some worker centers target immigrants, organizing taxi drivers, day laborers and domestic workers who can’t join unions because they are independent contractors. Others lobby politicians and help workers with complaints like unpaid wages.

Last year, the Service Employees International Union gave \$2.5 million to New York Communities for Change, more than the group’s total income of \$2.1 million in 2011, according to its latest available tax filing. The group, based in Brooklyn, was formed in 2010 by leaders of the former New York chapter of the community organizing group Acorn, after many of that group’s affiliates disbanded.

Earlier this year, the New York Communities for Change kicked off a series of one-day strikes involving more than 2,000 fast-food workers at dozens of chains in more than half a dozen cities. The workers are asking for \$15 an hour and “a fair process” to join a union – they don’t specify which one.

The carwash campaign in New York illustrates how unions and worker centers work together.

The plan to organize the city’s 200 carwashes, which employ about 5,000 workers, many from Mexico, Guatemala and El Salvador, came out of a 2011 meeting between leaders of NYCC and the Retail, Wholesale and Department Store Union at the unions’s Manhattan offices in 2011, according to union President Stuart Appelbaum. Also involved was another larger community group, Make the Road New York, which has 13,000 members and charges \$120 in annual dues.

Tasks were divided up; the community groups would build community support to back an organizing campaign. The union would file for elections with the National Labor Relations Board.

“These are people who felt that they were living in the shadows and powerless and that nobody cared,” said Mr. Appelbaum.

He said unions recognize they need to create broader coalitions with groups that provide credibility within communities to organize workers.

In the two years since the initial meeting, the union has given about \$107,000 to NYCC and about \$94,000 to Make the Road New York, according to government filings. Mr. Appelbaum said the union supports the groups for other advocacy work, such as advocating raising the minimum wage and a campaign for a paid sick-leave law in New York.

“I don’t think you can say that we’re funneling money to them for the carwash campaign,” he says. “We contribute to all sorts of groups.”

Jonathan Westman, director of New York Communities for Change, said there will be growing cooperation between unions and community groups. “If we’re ever going to maintain decent wage levels, it can’t just be insular union fights.”

The union has filed for six elections at New York carwashes and won them all. Under two union contracts now in place, workers receive \$7.53 an hour including tips in the first year of the contract, up from \$7.25 an hour. They will earn \$8=9.18 an hour in the third and final year of the contract. They also receive five paid sick days for the first time.

Both Luis Rosales, 22, who arrived from Mexico eight years ago, and his father work at a Queens carwash. At first, he said, they were afraid of retaliation if they joined a union. “It took months to unify as a group to say we want to fight the fight,” he said through a translator. He and his father voted to join the union in May.

Right to Repair Bill

What follows is a draft bill the association is seeking to enter into the next legislative session

[NEW YORK STATE SENATE

INTRODUCER’S MEMORANDUM IN SUPPORT
submitted in accordance with Senate Rule VI. Sec 1]

[NEW YORK STATE ASSEMBLY

MEMORANDUM IN SUPPORT OF LEGISLATION
submitted in accordance with Assembly Rule III, Sec 1(f)]

BILL NUMBER: _____

SPONSOR: _____

TITLE OF BILL: An Act protecting motor vehicle owners and small businesses in repairing motor vehicles.

PURPOSE: To require automobile manufacturers to make available diagnostic and repair information to car owners and repair shops based on fair and reasonable terms.

SUMMARY OF PROVISIONS: This bill would amend the Vehicle and Traffic Law to add an Article 12-D regarding the availability of diagnostic and repair information including diagnostic repair tools which are made

available to automobile dealers. After 2018, automobile manufacturers are required to provide on-board diagnostic and repair information.

CURRENT LAW: There is no statutory requirement for automobile manufacturers to share information.

JUSTIFICATION: This legislation would require automobile manufacturers to provide the same service information and tools to consumers and independent repair shops that the automaker has furnished to dealerships.

Cars have become more complex to repair because of computer diagnostics and the introduction of many specialized tools to effectuate repairs. Car owners who want to repair their own vehicles or use an independent repair shop have often been stymied in making repairs because automobile manufacturers have only furnished the required service information and specialized tools to their franchised dealerships.

This bill would level the playing field for consumers and independent repair shops. Dealerships would be subject to competition for repair work. Car owners would have choice and not be limited to dealerships for repair work. The competition would positively impact the cost of repairs and the availability of competent repair technicians to fix automobiles. This bill would also make information available to the aftermarket manufacturers of diagnostic tools and third-party service information systems. This bill specifically provides protection for automobile manufacturer's trade secrets.

This bill provides that commencing in 2018 automobile manufacturers would be required to provide access to repair information through utilization of a universal interface. This interface information would enable a consumer or independent repair shop to determine repair problems when an engine light comes on. This bill defines telematics as a communication system between a car manufacturer and a vehicle. Telematics systems are not included as being available unless it involves diagnostic and repair information.

A violation of this statute constitutes an unfair or deceptive act under General Business Law Section 349. The Right to Repair Act benefits the safety of the traveling public by making appropriate repair information available to help ensure effective repairs on a more universal basis. Massachusetts recently enacted a Right to Repair law which parallels this legislation.

LEGISLATIVE HISTORY: New bill.

FISCAL IMPLICATIONS: None to the State.

EFFECTIVE DATE: One hundred and eighty days after enactment.

Court Rules NYC Large Soda Ban Illegal

The First Department of the state Supreme Court's Appellate Division sided with opponents of New York City's ban on large sugary beverages, NBC News reports.

In March, a judge blocked the city from implementation of the ban, which prohibited restaurants and other eateries

from selling of "sugary" drinks in containers larger than 16 ounces, calling the rule, "arbitrary and capricious."

The ban "violated the state principle of separation of powers," the appellate court said in its unanimous ruling. The American Beverage Association (ABA) and other groups had filed a lawsuit against the city challenging the law's validity. Mayor Michael Bloomberg had heavily promoted the ban as part of his overall efforts to improve the public health of the city.

"Since New York City's ground-breaking limit on the portion size of sugary beverages was prevented from going into effect on March 12, more than 2,000 New Yorkers have died from the effects of diabetes," the mayor said in a statement after the decision. "Today's decision is a temporary setback, and we plan to appeal this decision as we continue the fight against the obesity epidemic."

The ABA expressed its support of the decision. "We are pleased that the lower court's decision was upheld. With this ruling behind us, we look forward to collaborating with city leaders on solutions that will have a meaningful and lasting impact on the people of New York City," said Christopher Gindlesperger, ABA spokesman.

Bankruptcy Court OKs Getty, Lukoil Settlement

A settlement whereby Lukoil Americas Corp. will pay \$93 million to Getty Petroleum Marketing Inc. (GPMI) was approved by a U.S. bankruptcy judge.

According to Reuters, Judge Shelley Chapman approved the settlement during a U.S. Bankruptcy Court, Southern District of New York hearing yesterday. GPMI declared bankruptcy in December 2011 and subsequently appointed trustee Alfred Giuliano to liquidate its assets and pay back creditors. One way he determined to do so was by suing GPMI's former parent company, Lukoil.

Giuliano's lawsuit stated that the Russian oil company stripped GPMI of its best gas stations. GPMI formerly leased 799 gas stations and convenience stores from Getty Realty Corp.

As CSNews Online reported, GPMI and Lukoil reached the settlement agreement on July 18. Since GPMI is a bankrupt company, its creditors will receive the settlement funds. According to Getty Realty, \$32 million of the settlement will be paid out immediately under a Litigation Funding Agreement.

As one of GPMI's creditors, Getty Realty stands to benefit financially from the settlement.

National Weights, Measures Group Clarifies Motor Oil Labeling

The National Conference on Weights and Measures (NCWM) has issued some clarifications on motor oil labeling guidelines in response to feedback from distributors of bulk engine oil, Ron Hayes, chairman of the fuels and lubricants subcommittee at NCWM said in an interview recently.

NCWM is also reviewing the possibility of including unique or boutique motor oils in its new guidelines for next year. NCWM, which is constantly reviewing and approving new guidelines, typically publishes a new set of guidelines in November. The new guide would be effective Jan. 1.

NCWM is a nonprofit corporation dedicated to developing and regulating the U.S. technical standards for weights and measures. The organization's official mission is to advance a healthy business and consumer climate through the development and implementation of uniform and equitable weights and measures standards using a consensus building process.

NCWM and the National Institute of Standards and Technology (NIST) publish model regulations that would require oil change locations to provide information consumers need to make informed decisions on motor oil.

Two main changes to this year's guidelines are on labeling for motor oil transports, including trucks and rail cars, and the required documentation of motor oil specifications at retail sites, Hayes said.

Trucks and rail cars transporting bulk motor oil do not require labeling on the side of the trucks or rail cars because that information is required on the bill of lading or delivery ticket.

Also, Hayes said that all retail sites should hold on to their motor oil delivery receipts and documents for at least one year according to the guidelines. The Weights and Measures guidelines are published in NIST Handbook 130, Uniform Laws and Regulations in the Areas of Legal Metrology and Engine Fuel Quality.

The new provisions in the guidelines expand the scope of existing labeling requirements for packaged motor oils to include bulk motor oils installed from tanks, dispensers or other receptacles (for example, IBCs, kegs or drums).

Looking ahead, Hayes said that NCWM is reviewing a few OEM approved motor oils, which are not included in NCWM's guidelines so far. Those motor oils are not approved and certified by the American Petroleum Institute, but are approved by certain engine manufacturers for special use.

He gave an example of Volkswagen 504 00 - 507 00 5W-30 motor oil, which is recommended only for specific Volkswagen vehicles, which may be accepted in the NCWM's new guidelines.

Meanwhile, states are free to consider these guidelines, and according to Handbook 130, twenty states -- AK, AR, CT, IL, ME, MO, NV, NH, NC, OK, RI, SC, TN, TX, UT, VT, VA, WA, WV, and WI -- may begin adopting the new recommendations in July.

Since many states consider Handbook 130 in setting labeling regulations, API's Motor Oil Matters (MOM) program recommends oil change locations and distributors check their local laws to determine whether their state has adopted the latest Handbook 130 recommended language.

The new guidelines may require adjustments to invoices or receipts and bulk motor oil container signage. The invoice and receipt would need to show SAE viscosity of motor oil

installed, motor oil brand, service category and obsolete service category warning.

Oil change locations choosing to meet the standard set by API and that are licensed by MOM may find that they are already in compliance with new labeling guidelines.

-Edgar Ang, eang@opisnet.com

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Gas Prices Spike, Oil Speculation Soars

Every time gasoline prices increase more than a few pennies in a week, drivers start wondering what's going on. Last week, the cost of gasoline jumped 12 cents, and some analysts say this will continue, KETK-TV reports.

Within the past 30 days, the cost of WTI crude oil increased 15% to top \$108 per barrel. During the same time, oil stockpiles have been drawn down. "Oil prices and gas prices are as much about the 'what if.' It's about what could happen. It's a commodity," said Jeff Lenard with NACS.

With supplies pretty much the same as they have been for the past five years, and demand lower, what's driving up gasoline prices? Speculation. "And when there's uncertainty, commodities increase in value," he said. "When there's uncertainty in the stock market, prices go down because they're not sure about the company. When there's uncertainty about the commodity, prices go up and that's what we're seeing now, largely because of Egypt."

On Wall Street, hedge fund speculators have snapped up more oil than Oklahoma has sitting in giant oil terminals. "The classic example is what happened five years ago," said Lenard. "We had gas run up to \$4.11 a gallon in mid-July. People were talking about \$5 gas, \$6 gas. It ended the year at \$1.61, dropping by \$2.50."

FDA Evaluation Indicates Menthol Likely Impacts Public Health

More than two years since the Food and Drug Administration (FDA) began reviewing menthol, the agency is taking steps to settle the menthol debate.

A new preliminary independent evaluation released by the FDA, Preliminary Scientific Evaluation of the Possible Public Health Effects of Menthol Versus Nonmenthol Cigarettes, found that "the preliminary scientific evaluation indicates there is likely a public health impact [from] menthol in cigarettes." However, there may still be miles to travel on the road to any definitive stance on menthol cigarettes.

In a briefing this afternoon, Mitch Zeller, director of the FDA's Center for Tobacco Products, stressed that the agency is now in an "information-seeking mode" and not issuing a final ruling.

"We are pleased that progress is being made on menthol, particularly since the FDA has reiterated that menthol is one of its top priorities," said Bonnie Herzog, managing director of tobacco, beverage and consumer research at Wells Fargo Securities LLC. "However, we

expect it could still be a long time until some type of final resolution is ultimately reached."

Herzog pointed out that the language in the FDA's latest report is "softer" than the language used by the Tobacco Product Scientific Advisory Committee (TPSAC) when it issued its menthol findings in March 2011. She said this suggests that "a ban is unlikely." TPSAC in its report recommended that removing menthol cigarettes from the market would benefit public health.

The FDA is now giving the public a chance to weigh in on this matter. It issued an Advanced Notice of Proposed Rulemaking, which opens a 60-day public comment period.

"[The] FDA's actions today on menthol reflect our commitment to explore all potential options, including the establishment of product standards. In the meantime, we will conduct new research to further inform our decision making," Zeller said.

In addition, the agency plans to support new research on the differences between menthol and non-menthol cigarettes as they relate to menthol's likely impact on smoking cessation and attempts to quit, as well as assessing the levels of menthol in cigarette brands and sub-brands.

he FDA is funding three menthol-related studies: one to look at whether genetic differences in taste perceptions explain why certain racial and ethnic populations are more likely to use menthol cigarettes; the second to compare exposure to smoke-related toxins and carcinogens from menthol and non-menthol cigarettes; and a third to examine the effects of menthol and non-menthol compounds in various tobacco products on both tobacco addiction and toxicants of tobacco smoke.

The FDA is also developing a youth education campaign focused on preventing and reducing tobacco use, including menthol cigarettes.

Re-Write Of ACA Definition Of Full-Time Employee Urged, But It's Unlikely To Happen This Year

On June 26th, the House Energy and Commerce heard a parade of witnesses and members of both parties urge a rewrite of the Affordable Care Act to establish 40-hours a week as the definition of a full-time employee, instead of the current 30-hours a week.

Many employers, particularly large retailers and state and local governments, have already shifted employees to less than 30-hours a week, an adverse employment distortion that no author of the 2010 law intended. The threat of total repeal or of dismantling amendments to the Affordable Care Act will prevent Congress from making sensible and very necessary changes this year. After October 1, the clamor for change will increase.

Why We Ask For A Zip Code At The Pump

It's a common customer inquiry: Does a retailer really need a ZIP code to pump gas? While some customers say they routinely input a false ZIP code, writes Forbes, others say they find the practice treats them "like a criminal."

The reason, however, and one that Forbes set out to uncover, is security.

"Asking for the ZIP code at the pump is security related. Someone with a stolen card would be less likely to correctly enter the ZIP," said Jeff Lenard, NACS spokesperson, told Forbes. "Thieves often test cards to see if they are still 'live' at places where they don't have to engage in a face-to-face transaction, such as at the gas pump. This is done so that there is not a confrontation where they could have the card confiscated."

Lenard continued: "After a successful test, the thieves may then try it at retail locations. So, by requiring a ZIP, it may limit options for the thief. Unfortunately, it adds a level of inconvenience for the law-abiding customer."

He said the information is not stored for marketing but is sent to retailer's credit card processor and then on to the card company, such as Visa and MasterCard.

Sanette Chao, a spokeswoman for American Express, also noted that ZIPs are not stored for a retailer's marketing purposes. "Generally our contracts restrict merchants from using or storing American Express card member information provided during a transaction other than to facilitate the transaction," she said, adding, "It is the merchants' discretion whether to process an American Express transaction if the card member refuses to provide his or her ZIP code."

ExxonMobil and Phillips 66 also confirmed with Forbes that that they request ZIPs at the pump only to reduce fraud and said the number is not kept after the transaction.

So what about the customer who insists on not providing a ZIP code when filling up at the pump? Go inside the store to pay.

"It [ZIP code] is not needed inside the store because the card can be reviewed by the cashier to ensure it looks like a true credit card," explained Shelly Faris, spokesperson for CST Brands. "And, our customers sign for the credit card transaction if it is over a specified amount as defined by the card company."

For those customers who still don't want to offer up a ZIP...there's always the option of using cash

C-stores Up in Smoke Over "Spice" Sales

GENERAL COUNSEL CORNER

By Peter H. Gunst, Esquire

In spite of existing state and federal bans on the sale of "fake pot" and "bath salts," these synthetic drugs continue to be sold in some c-stores and gas stations nationwide, and station owners and attendants alike are subject to criminal prosecution and steep fines for possession and distribution of these "designer" drugs.

To make matters worse, manufacturers of the fake drugs are attempting to thwart federal regulatory efforts and deceive the public by using labels that state contents are "not for human consumption," a thinly-veiled effort to mask the purpose for which the substances are marketed. Consumers proceed to smoke, snort, and in some cases, inject the contents.

Many manufacturers have replaced the previously banned chemical compounds with new formulas to evade federal enforcement efforts and continue aggressive marketing of the dangerous drugs.

In July 2012, in response to a nationwide upsurge in reports from poison centers, hospitals, and law enforcement agencies since 2010, President Obama enacted the Synthetic Drug Abuse Prevention Act, a national ban of 31 synthetic compounds found in “fake pot” and “bath salts” and an important piece of the FDA Safety and Innovation Act.

Cannabinoids, commonly referred to as “K2” or “Spice”, are labeled as “herbal smoking mixture” and are sprayed with synthetic chemicals designed to mimic the effects of THC in marijuana. They are sold in colorful, cartoon-covered packages, with names like Scooby Snax, Blueberry Yum Yum, Mad Hatter, Mr. Happy, and Funky Monkey. The exact chemical composition of this herbal “potpourri” is unknown, but can be two to 500 times stronger than THC, and reports indicate that in 2011 synthetic “spice” type drugs caused approximately 25,531 visits to emergency rooms nationwide.

Cathinones or “bath salts” are a crystalline powder sold in foil packages the size of a teabag and marketed under dozens of labels with deceptive names such as Bliss, Zoom, Could Nine, and Stardust, to name just a few. The powder is laced with chemical substances capable of producing a broad range of medical complications, including seizures, hallucinations, liver failure, long term mental illness, and death.

Station owners should carefully consider the consequences of selling banned or suspiciously similar substances in c-stores. In addition to facing criminal prosecution and exposure to public scorn, some communities have rallied to combat the problem by hitting businesses where it hurts – at the register.

Two months ago, the guest speaker and DEA Special Agent at a yearly symposium on drug prevention in Maryland urged community members to be proactive and boycott local businesses that sell these products in their stores.

U.S. military bases have been known to blacklist gas stations and c-stores known to sell synthetic marijuana products and to restrict soldiers and military personnel from making purchases at those locations. In March of this year, two businesses were blacklisted near Fort Lee, Virginia and more recently, two Exxon stations were blacklisted near Fort Meade, Maryland.

The DEA remains committed to stopping the flow of synthetic drugs at all levels. In June 2013, as a result of a two-year nationwide sting operation, agents raided 34 stores in Memphis and Jackson, Tennessee, and executed search warrants at seven gas stations. Numerous individuals were indicted by a federal grand jury for conspiracy to possess and distribute synthetic drugs and if convicted, face up to 20 years imprisonment and \$1 million for each count.

Elsewhere around the country, arrests and prosecutions are on the rise. In July 2013, four convenience stores were

investigated and three arrests made in Clearwater, Florida, and another

Eight individuals were arrested and charged with selling synthetic marijuana from convenience stores and gas stations in Washington County, Pennsylvania.

The former owner of a BP station in Lexington, Illinois was recently convicted of selling “spice” out of his station and received probation as a first time offender, but was ordered to pay a fine of \$8,322 and a civil forfeiture to seize the station is currently pending.

The bottom line is that station owners should avoid this “line of business” at all costs. Perhaps the best advice is to stick with the good stuff - Skittles and M&Ms.

For more information, see the following links:

http://www.whitehouse.gov/sites/default/files/ondcp/Blog/synthetic_marijuana.pdf

<http://www.whitehouse.gov/ondcp/ondcp-fact-sheets/synthetic-drugs-k2-spice-bath-salts>

DMV Record Retrieval

DMV record retrieval is available to association members and affiliates at a cost of \$12 per record. Additionally, you may order DMV certified paper abstracts of drivers license, vehicle registration, and vehicle title records for an additional fee of \$2 per abstract. Please call 518-452-4367.

ATTENTION INSPECTION STATIONS

The association has received a flurry of requests for legal representation for violations of the DMV commissioner regulations known as "clean scanning." that is when a vehicle other than the one to be inspected is substitute for the OBD-II part of the test. We have no defense for these violations. DMV has the ability to trace the OBD-II inspection to the vehicle used for the inspection.

If you cannot pass a vehicle for any reason, get help. That help could come from DMV. This violation almost always results in revocation.

\$afety Group 536

With a Financial history like this you have
lots of reasons to smile.



DIVIDEND HISTORY

35%	2010-2011
35%	2009-2010
35%	2008-2009
35%	2007-2008
30%	2006-2007
30%	2005-2006
25%	2004-2005
22.5%	2003-2004
17.5%	2002-2003
10%	2001-2002
15%	2000-2001
30%	1999-2000
40%	1998-1999

DISCOUNT HISTORY

25%	2012
25%	2011
20%	2010
20%	2009
20%	2008
25%	2007
25%	2006
25%	2005
20%	2004
20%	2003
20%	2002
20%	2001
30%	2000

Current Group Management took over for the 04-05 policy year
2008 20 % Discount due to 18% rate decrease

Lawley
INSURANCE



New York State Insurance Fund

Workers' Compensation & Disability Benefits Specialist since 1914

FREE MONEY

BE A MEMBER OF OUR ASSOCIATION OR AFFILIATES

FILL OUT THIS FORM AND FAX BACK TO US

BUY \$7500 IN PARTS IN ONE QUARTER FROM YOUR **NAPA DEALER**

RECEIVE A REBATE CHECK FOR 2% OF YOUR PURCHASES (MINIMUM OF \$150 REBATE)

PUT THE MONEY IN YOUR POCKET

FREE MONEY

Name of Your Business:		
Business Address Street:		
City:	State:	Zip:
Phone:	Fax:	E-Mail:
Name of NAPA Dealer:		
NAPA Street Address:		
City:	State:	Zip:
Phone:	Fax:	
Additional NAPA Dealer(s) you do business with:		
Name of NAPA Dealer:		
NAPA Street Address:		
City:	State:	Zip:
Phone:	Fax:	
Name of NAPA Dealer:		
NAPA Street Address:		
City:	State:	Zip:
Phone:	Fax:	

FAX this form back to:

518 452-1955

SAVE BIG WITH PRODEMAND

*OVER 25%
SAVINGS

Get ProDemand for **\$115** per month!

ProDemand provides repair, diagnostic and maintenance information to help professional technicians complete their jobs *faster, easier* and *smarter*. You get information from service repair manuals presented in a consistent, easy-to-use format, with all of the factory specifications and procedures, computer diagnostics, electrical wiring diagrams and detailed illustrations delivered in a single lookup. ProDemand Estimator gives you quick access to the labor times and OEM parts prices you need to build accurate estimates.

PRODEMAND ADVANTAGES

COMPONENTS — Your critical tasks together in one tab-based, intuitive interface

CODES — Diagnostics just got a whole lot faster and easier with smart search

SERVICE MANUAL — All your OEM data in a familiar interface, now streamlined for faster, easier access

ESTIMATOR — OEM Labor times and parts pricing for domestic and imported vehicle models going back to 1983

MAINTENANCE — Easy access to factory-recommended tasks and specs

SURETRACK™ — Diagnostic resource with a unique combination of intelligence, expertise and real-world parts replacement data.

VINTAGE — Mitchell 1's database of information for vehicles built prior to 1983



*Rules

First 6 months at advertised price. A 12-month contract is required.

Promotion is available for a limited time only. Cannot be combined with any other discounts.



For more information or to find your local Mitchell 1 representative, visit www.mitchell1.com or call 888-724-6742.

Promo Code: 6+6

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SAVE BIG WITH TEAMWORKS

*OVER 25%
SAVINGS

Get the leading Shop Management and Repair Information
for the low price of **\$150** per month!

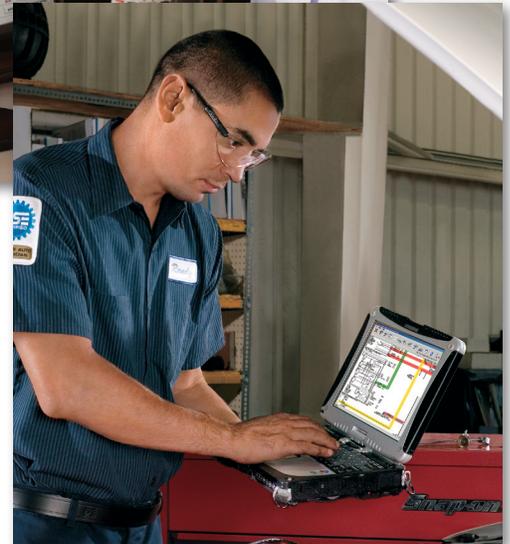
TEAMWORKS™ is dedicated to providing quality repair information solutions that simplify everyday tasks for automotive professionals — helping make their jobs easier. You can count on the Mitchell 1 family of integrated software tools to help you fix cars faster, optimize shop workflow from estimate to invoice.

MANAGER SE™

Manager SE is the next generation of shop management software from the company that has led the way in information solutions for service businesses for nearly a century. An integrated approach to automotive shop productivity, Manager SE gives you the power to manage all aspects of your shop — from front to back — and helps your shop project a professional image, increase car count, increase revenue per repair order, improve communications within the shop, and boost profitability.

PRODEMAND™

ProDemand provides repair, diagnostic and maintenance information to help professional technicians complete their jobs **faster, easier** and **smarter**. You get information from service repair manuals presented in a consistent, easy-to-use format, with all of the factory specifications and procedures, computer diagnostics, electrical wiring diagrams and detailed illustrations delivered in a single lookup. ProDemand Estimator gives you quick access to the labor times and OEM parts prices you need to build accurate estimates.



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visit www.mitchell1.com or call 888-724-6742.

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SSRA

Service Station and Repair-shop Association of Central New York

HEALTH INSURANCE PROGRAM

If you are going without health insurance, you are taking a big risk. Now is the best time to stop exposing yourself to high medical costs. Even if you have insurance, you will want to check how our health insurance programs can better suit your needs. Here are some of the benefits of our program:

- **Reduced premiums by being a member of our groups.**
- **Programs provided by a variety of providers.**
- **Choose from a wide selection of plans.**
- **Tailor your insurance to best suit your needs.**
- **Participating employees may choose different plans.**

Let us work with you to find the best program at the best price. We will send you more information, and help you to navigate the selection of plans and options to find the one that is best for you.

**To find out more information call
Ralph Bombardiere at (607) 398-7260**