

# NEW YORK STATE ASSOCIATION OF SERVICE STATIONS & REPAIR SHOPS, INC.

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## **ExxonMobil To Divest US Retail Market**

ExxonMobil's announcement of its divestiture of the U.S. retail market has hit dealers with a one-two punch. Mobil branded dealers in downstate New York had been expecting an announcement that the company would be selling its retail assets. However, they expected that these stations would be offered to the dealers.

During a conference call with its dealers, ExxonMobil confirmed that it plans to sell its company-owned stations to jobbers. The company has approximately 820 company-operated stations and 1,400 dealer leased sites to be sold. These stations are located throughout the United States, but there are large clusters in major metro markets. Texas, for example, has about 190 company-owned outlets, while there are roughly 170 in Florida. Other markets with high concentrations include New York, Virginia, Massachusetts and Illinois. In all, some 12,000 ExxonMobil branded stations in the U.S. sell about 14 billion gallons of motor fuel per year. Distributors already own most of these stations. A spokesperson for ExxonMobil stated that the U.S. has become a highly competitive market and that the company believes this transition is the best way for ExxonMobil to compete and grow in the future.

It appears that selling the stations to distributors is intended to circumvent the PMPA's provision, which gives the dealers' the right of first refusal. Even if the distributors decide to keep the dealers in business it is up to ExxonMobil to provide the distributors with a competitive wholesale price, something it seems unwilling to do. ExxonMobil dealers have never been afraid to fight back. They will fight for the right of first refusal, and, where necessary, for the ability to change brands. The work has already started. It's time for you to get involved.

Reality: What we do know

- ExxonMobil has announced it will be selling the downstate stations to a distributor.
- ExxonMobil's current intention is NOT to sell to Dealers.
- The divestiture can take place at any time.
- The value of the Mobil Franchise has decreased.
- Dealers are NOT prepared to oppose ExxonMobil's divestiture plan.
- Experiences in other areas have shown that dealing with a distributor is not profitable unless you own the property.

What needs to be done?

- Dealers need to organize
- Resources need to be accumulated
- Dealers need to pool their resources
- Dealers need to get ready to protect their business and livelihood.
- Legal action MUST be prepared.
- Legislative action MUST be initiated.

If you are interested in becoming part of the solution, please call Ralph Bombardiere at 518-452-1988.

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## **Divestiture Defense, LLC Mission Statement**

The purpose of this group is to support the individual Exxon-Mobil retail dealers in their effort to maintain control of their gasoline stations. Exxon Mobil announced it will be divesting their downstate area retail outlets to distributors. Their current plan is to have distributors purchase the stations and provide the supply. This may violate your dealer rights. To this end we have established the Divestiture Defense LLC to initiate a legal and legislative challenge to halt Exxon Mobil from continuing their process. The LLC will be the mechanism to

provide the resources necessary to establish a defense. Dealers who wish to be a part of the solution are being asked to contribute the initial sum of \$1,000 per station. These funds will be used to retain a law firm to begin the legal preparation necessary to defend dealer rights.

If you want to save your business and be a part of this initiative please contact the Divestiture Defense LLC at 518-452-1988, and provide us with the name and address of each station you seek to protect, your name and telephone number.

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### **Automated Car Wash Sales Tax Relief Bill Vetoed**

Governor Paterson has vetoed S4791, the bill that would have provided relief for automated car wash operators. Currently there is sales tax on payment with credit cards, but no sales tax if payment is made in cash. The bill would have eliminated the sale tax all together. The Governor felt the revenue bill need to be addressed in the budget, and with the state current short fall he could not sign the bill. A copy of the Governor's veto message is attached.

#### **VETO MESSAGE - No. 41**

TO THE SENATE: I am returning herewith, without my approval, the following bill: Senate Bill Number 4791, entitled:

“AN ACT to amend the tax law, in relation to the sales tax exemption for car wash facilities”

NOT APPROVED

This bill would expand the current sales tax exemption for "coin-operated" car wash services to include credit card and debit card operated car wash services. While the bill appears to have a commendable purpose - to provide greater convenience for consumers without imposing additional burdens on

carwash businesses to collect sales tax - it raises several issues of concern.

The purpose of the current sales tax exemption for coin operated car wash services is to alleviate the hardship of collecting the appropriate amount of sales tax using available coin denominations, especially at service facilities where an attendant may not be present. Those burdens do not exist for credit or debit card operated transactions. Indeed, if a vendor accepts credit or debit card payments, the vendor is not limited to coin denominations and can charge the customer the precise amount of tax due on each transaction.

Furthermore, this bill would have a negative fiscal impact of approximately \$4.6 million annually on State and local finances. Initiatives with fiscal implications, especially at a time when the State is facing a large budget deficit, should be considered during the budget process, when the State projects revenues and considers initiatives in a variety of areas to determine how the State's limited resources are best spent.

Finally, it is likely that granting this exemption now would lead to a proliferation of similar sales tax exemptions in the future, which over time would lead to an even greater adverse impact on State and local finances. Given the current fiscal challenges facing the State and local governments, such a course of action would be inadvisable.

The bill is disapproved.

(signed) DAVID A. PATERSON

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### **Massachusetts Legislature Keeps Right to Repair Legislation Moving Forward**

Massachusetts is proving to be a very receptive state for this landmark legislation that would protect consumers' right to

choose where they have their cars repaired. The legislation (H4892) would require car companies to make the same service information and tools capabilities available to independent repair shops that they provide their to their franchised dealer networks. The legislation further provides car companies with strong protections for their trade secrets unless that information is provided to the franchised new car dealers. For more information about the Right to Repair Act, visit [www.RightToRepair.org](http://www.RightToRepair.org).

Over the course of the session, the legislation advanced further in Massachusetts than it has in any other state or in Congress where it has been pending. Against a coordinated assault by major car manufacturers to kill the Right to Repair legislation outright, the pro-consumer rights bill was reported out favorably from the Consumer Protection and Professional Licensure Committee and made it to the House floor this week. While the formal session ended yesterday, the bill remains active on the House calendar.

‘When we began this process last year, even our own members thought taking on car manufacturers was daunting,’ said Stan Morin, a local repairer who is also chairman of the Massachusetts Right to Repair Committee. ‘But they came to understand this is an issue of survival for them and for their customers. When the manufacturers fail to provide us equal access to that information, the consumers are directly and negatively impacted.’

Independent repairers took their case directly to the Statehouse this past spring as they rallied in support of the legislation and then met with their individual legislators. Under Morin's leadership, many of those same mechanics and shop owners returned repeatedly to visit lawmakers personally. The repairers' grassroots effort has also produced more than 1,000 emails and over

600 letters to legislators directly asking for their support.

Independent repair shop owner Bill Cahill, owner of BC Auto in Randolph, said the momentum in favor of the bill has been gratifying for repairers. ‘There is tremendous support for this bill among legislators,’ said Cahill. ‘I was in dozens of meetings with representatives from all corners of the state and I can tell you that they understand that this is a consumer issue first, and then an economic issue about jobs in this economy.’

As the Legislature moves into its summer recess, Morin and Cahill said that the independent repairers will continue to build support for the legislation among legislators and consumers. Part of that effort will require debunking claims being made by manufacturers that the legislation amounts to an effort to obtain proprietary parts information from manufacturers. ‘The car manufacturers know better, but they don't have any other defense for their opposition because this is a pro-consumer bill,’ said Morin. ‘What else would they say? That they are anti-consumer?’ The independent auto repairers are seeking passage of this legislation to ensure that they will have fair and equal access to necessary repair information, which is increasingly difficult to obtain from car manufacturers. For the independents, this issue is not only about fairness and equity, but it is also about their customers' right to choose where to have their cars repaired.

While being considered by the Legislature, the bill has enjoyed increasing legislative and public support and has garnered universally favorable media attention. As The Boston Herald wrote in its May 22 editorial endorsing the Right to Repair bill, ‘there is much credible evidence that automakers and importers are holding back data.’ When manufacturers hold back data,

they not only deny independent repairers the necessary tools and information to fix your car, but they also deny you the right to have your car fixed where you want.

The issue also got some unexpected support in the May issue of Consumer Reports. The consumer magazine reported its findings of a study among customers who were asked to give their opinion about where they prefer to have their cars repaired. By a wide margin, the magazine reported, consumers prefer independent repair shops where they feel they are more likely to get better service at a better price and with more reliability and convenience. Consumer Reports found that 71 percent of Americans reported they were very satisfied with independent repair shops for vehicle service. This is in comparison to new car dealer shops where 53 percent reported satisfaction. As evidenced by this study, millions of car owners trust the independent repair shops to provide affordable and competitive automotive repair service.

Morin called the practice of selectively releasing repair codes and information as “tantamount to a restriction of free trade” and said that legislators understand quickly how this hurts consumers. “The tide is turning on this issue nationally,” said Morin. “But we think that tide will turn first here in Massachusetts.”

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### **ExxonMobil Releases Second Quarter Earnings**

ExxonMobil's second quarter earnings excluding special items were a record \$11,970 million, up 17% from the second quarter of 2007. Earnings per share excluding special items were up 24% reflecting the impact of the continuing share purchase program. Net income for the second quarter was \$11,680 million, up 14%

from the second quarter of 2007. Net income included an after tax special charge of \$290 million reflecting the \$508 million maximum punitive damages set by the recent Supreme Court ruling in the Valdez litigation.

Record crude oil and natural gas realizations were partly offset by lower refining and chemical margins, lower production volumes and higher operating costs. First half earnings excluding special items increased by 17% over the first half of 2007 reflecting higher crude oil and natural gas realizations. Net income for the first half of 2008 was up 16% versus 2007.

ExxonMobil increased investments across all business lines to help meet global demand for crude oil, natural gas and finished products. Capital and exploration project spending increased to \$7.0 billion in the second quarter, up 38% from last year. For the first half of 2008, spending on projects was \$12.5 billion.

The Corporation distributed a total of \$10.1 billion to shareholders in the second quarter through dividends of \$2.1 billion and share purchases to reduce shares outstanding of \$8.0 billion, an increase of 12% or \$1.1 billion versus the second quarter of 2007.

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### **British Petroleum Second Quarter Profits Up 28% Over Last Year**

due to a surge in crude oil prices and natural-gas prices, BP plc. second-quarter earnings rose 28 percent. Bloomberg News reported the company's net income climbed to \$9.47 billion from \$7.38 billion a year earlier.

Chief Executive Officer Tony Hayward told Bloomberg News he is bringing new production and refining capacity online to

improve earnings, which he conceded are lagging behind Exxon Mobil Corp. and Royal Dutch Shell plc. BP is expected to add approximately 650,000 barrels a day of oil equivalent to output through 2009.

The results "look very good. They are generating cash flow, the profits that everyone hopes they should be generating in the very high oil price markets," Andy Lynch, a portfolio manager who oversees \$2.9 billion at Schroder Investment Management Ltd. in London, told Bloomberg News. "And they are actually also looking to invest more money into refinery assets."

BP plans to purchase Oklahoma gas properties from Chesapeake Energy Corp. for \$1.75 billion, targeting fuel from rock formations that are more expensive to exploit than traditional fields, reported Bloomberg News, citing a company announcement from earlier this month.

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### **Royal Dutch Shell Stock Falls Despite Higher Profits**

Royal Dutch Shell, Europe's largest oil company, reported a 33 percent increase in second-quarter profit Thursday, helped by a higher oil price even as production declined. Shell profited from an oil price that almost doubled in the second quarter from the year earlier but a 13 percent drop from a record on July 11 raised some concern among investors about whether oil companies can keep up the pace of earnings growth.

Shell's profit rose to \$11.56 billion from \$8.67 billion in the same period last year., citing a higher oil price. Shell's shares have fallen 12.5 percent this year. That compares with a 14.7 percent drop of BP's stock and a 9.9 percent decline for Exxon Mobil, the world's biggest energy company.

Oil companies are under pressure to find new reserves as they face increasing competition from state-run oil companies in Russia and the Middle East. Shell is also looking to make up for production lost in recent incidents in Nigeria, where militants attacked an offshore production vessel in June, and in Russia, where it had to sell its share in the Sakhalin Island oil and natural gas project to state-controlled energy company OAO Gazprom last year.

Oil and gas production fell to 3,126 thousand barrels of oil equivalent per day from 3,178 thousand barrels.

Shell chief executive Jeroen van der Veer pledged to continue investing to fuel growth. "Shell is making substantial, targeted investments to grow the company for shareholders and help ensure that energy markets remain well supplied," van der Veer said in a statement Thursday. The company agreed two weeks ago to spend about \$5.9 billion to buy Canada's Duvernay Oil Corporation to increase its gas production from tough rock formations and is in talks with Iraq about some service contracts.

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### **Valero Second Quarter 2008 Income Down Big Versus Second Quarter 2007**

Valero Energy Corp. reported second quarter 2008 operating income of \$1.2 billion, versus the \$3.2 billion that was reported in the second quarter of 2007. According to the report, the decline in operating income was primarily attributable to lower margins for many of the company's products. Other factors contributing to the decline in operating income included refinery expenses, which increased by \$148 million from the second quarter of 2007 to the second quarter of 2008. This was due, in large part, to higher energy costs for electricity and natural gas.

"Despite the difficult environment for margins on gasoline and many secondary products, Valero continued to be profitable," Bill Klesse, Valero chairman of the board and CEO, said in a statement. "Wide differentials for the heavy and sour feedstocks that we can process in our refineries benefited us significantly in the second quarter."

He continued: "As I've said before, the refining industry historically has been seasonal, volatile, and cyclical. Even when the industry faces challenges, our employees are committed to excellence in achieving cost efficiencies while continuing to improve our safety, environmental and reliability performance."

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### **New York Judge Dismisses Attempt to Recapture Uncollected Taxes**

New York, State Supreme Court Justice Robert A. Sackett abruptly dismissed state legislator Assemblyman Townsend's attempt to compel the State of New York to recapture hundreds of millions of dollars in uncollected cigarette and motor fuel taxes.

On July 14 in Monticello, Judge Sackett dismissed the case, not on the merits but on the issue of standing. He ruled that plaintiffs had no legal standing to bring the Article 78 action. This leaves Assemblyman Townsend completely unable to ensure that the intent of the law is fulfilled.

At issue is the existing state law directing the state Department of Taxation and Finance to collect taxes on cigarettes and gas sold by Native American tribal stores to non-Indian customers. The law took effect March 1, 2006, but the Department under Governors Pataki, Spitzer and Paterson has steadfastly refused to implement it.

Utica-area Assemblyman David R. Townsend Jr., who voted for the law, and Dabiew's Market in Bombay, New York, whose sales of cigarettes and gas have suffered due to "tax free" pricing by tribal stores on the nearby St. Regis Mohawk Indian reservation, filed the lawsuit in January against then-Governor Spitzer and the Tax Department.

Judge Sackett said the grievances of Townsend and Dabiew were not "within the zone of interest sought to be promoted or protected" by the 2006 tax collection law. He said the main purpose of the law was to raise revenue. Assemblyman Townsend and Dabiew's Market had argued the law had a dual purpose "to raise revenue and to restore a level playing field for competing non-Indian retailers who collect and remit state taxes."

That the judicial branch just granted the executive branch the power to disregard an act of the legislative branch after it's signed into law has alarming constitutional implications far beyond this particular case. It appears that if the Governor doesn't feel like implementing a law, no one has legal recourse, not even a legislator who voted to enact the statute on behalf of his or constituents."

The untaxed sale of cigarettes alone on Native American lands is costing the state upwards of \$600 million a year in lost tax revenue, according to Brian O'Connor, an economist who analyzed the issue for NYACS in January 2008. The problem has grown worse since then, because the state excise tax increased another \$1.25 per pack on June 3. The new wave of tax evasion spawned by the tax hike is estimated to be costing tax-collecting retailers and wholesalers 25 percent or more of their cigarette volume since June 3.

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### **Costs of Not Having Workers Compensation Insurance**

The New York State Workers' Compensation Law requires most employers in New York State to have workers' compensation coverage for their employees. Failing to provide coverage when required by law is a misdemeanor, and may carry the following sanctions:

- Escalating fines starting at \$500 for the first offense going up to \$7,500 for subsequent violations within five years.
- An assessment of \$250 for each claim incurred while uninsured, plus 15% of the amount awarded up to a maximum of \$5,000, plus the actual compensation and medical costs.
- Any penalties the Workers' Compensation Board assesses for non-compliance.
- An additional fine of \$250 for each 10-day period of noncompliance or two percent of the employer's payroll during the period of noncompliance can be levied.

Penalties assessed by the Workers' Compensation board have doubled from \$1000 to \$2000 for each 10 day period of noncompliance.

Workers' Compensation Law provides that a failure to secure the payment of compensation for five or less employees within a twelve month period shall constitute a misdemeanor punishable by a fine of not less than one thousand nor more than five thousand dollars. Failure to secure the payment of compensation for more than five employees within a twelve month period shall constitute a class E felony punishable by a fine of not less than five thousand dollars nor more than fifty thousand dollars and is in addition to any other penalties otherwise provided by law. Where any person has previously been

convicted of a failure to secure the payment of compensation within the preceding five years, upon conviction for a subsequent violation such person shall be guilty of a class D felony, fined not less than ten thousand nor more than fifty thousand dollars and is in addition to any other penalties including fines otherwise provided by law. Cases investigated by the Board are referred to the Attorney General and the local district attorney's offices for prosecution.

If the employer is a corporation, the president, secretary and treasurer are personally liable for medical care and compensation payments for the injured worker, and all penalties. The employer is deprived of common-law defenses in a civil suit brought by an injured employee.

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### **Option to Combat Rising Energy Costs**

As many people have noticed, electricity rates are on the rise. In order to help offset the rising cost of electricity, NYSASSRS has chosen to partner with EnergyPLUS, an Energy Service Company (ESCO) that has designed a customized electricity savings programs exclusively for NYSASSRS members.

Through this special program, NYSASSRS members earn 3% cash back on their business' annual supply charges and a \$50 activation bonus. Program participants enjoy competitive rates and a permanent tax waiver on the delivery portion of their electricity bill – a savings up to 9.9%! Save even more when signing up a residential account, as EnergyPLUS provides electricity to both homes and businesses throughout New York. Residential accounts will receive a \$25 activation bonus, 2% cash back rebates annually, and the tax savings mentioned above.

NYSASSRS has made this program available to you after an extensive review of EnergyPLUS. Members can try the service risk-free, without long-term contracts, sign up fees, or cancellation fees. Perhaps the best part of switching is that EnergyPLUS customers do not experience any changes in service. The New York local utility companies continue to deliver and measure customers' electricity, handle service emergencies, and mail consumer statements.

*For more information on electricity cost savings for your small business or home, call EnergyPLUS at 1-877-320-0356 or visit [www.EnergyPlusCompany.com/NYSASSRS](http://www.EnergyPlusCompany.com/NYSASSRS).*

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### **Trade Associations Urge Congress to Adopt Credit Card Reform Legislation**

On July 16, The Credit Card Fair Fee Act (H.R. 5546) passed the House Judiciary Committee 19-16. The bill would force credit card companies to negotiate interchange fees with merchants either voluntarily or before a panel of three congressionally appointed judges.

The Interchange Fees Act would require that credit card companies disclose interchange fees, and under the legislation the Federal Trade Commission and the Federal Reserve would be able to review and possibly reform interchange rates and terms. The Bill of Rights Act would prohibit arbitrary increases on interest rates, excessive fees, and misleading terms for users of credit cards.

The banking industry believes this is an attack on the credit card industry. They believe that merchants want to use the services credit card companies provide for no fee; essentially, something for nothing. Bankers believe the Federal Reserve should address the issue through proposed

regulation and that these associations are looking to Congress to lower their cost of doing business.

We will keep you informed.

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### **General Counsel Corner**

*By Peter H. Gunst, Esquire*

*General Counsel, SSDA-At*

*An Open Price Term Conundrum*

Independent service station dealers are particularly vulnerable to pricing abuse by their suppliers because they are tied to long-term, sole-source supply agreements with open price terms, which on their face permit their suppliers to charge whatever they wish for petroleum products.

The primary legal defense against unfair supplier pricing is found in § 2-305 of the Uniform Commercial Code, which requires that prices set by a supplier under an open price term be set in good faith, which means that the supplier must act honestly and in accordance with reasonable commercial standards.

Seeking to represent a national class of wholesale purchasers, two BP jobbers filed suit claiming that BP had violated § 2-305 by promising its jobbers a one percent prompt payment discount, but then had secretly added the cost of the discount back into its wholesale price to the jobbers. The plaintiffs argued that BP was playing what they characterized as a "shell game," and either was "not setting the open price term in good faith" or, in fact, "not providing the promised prompt pay discount."

The jobbers argued:

[I]n either event, BP "giveth with one hand," while secretly it "taketh with the other." That is the antithesis of good faith.

Responding aggressively, BP moved for summary judgment, even though it conceded that a real dispute existed concerning whether it had raised its prices to recoup the prompt payment discount. BP argued, in effect, that it was irrelevant whether it had played a “shell game” on its jobbers. This was so, BP contended, because it had in fact provided a one percent discount when prompt payment was made, even it that meant exacting a one percent penalty in all other circumstances.

In an opinion released earlier this year, *Autry Petroleum Co., v. BP Products North America, Inc.*, 2008 WL 360628 (M.D. Ga. Feb. 8, 2008), the federal district court agreed with BP and granted its motion for summary judgment.

First considering the general requirement of good faith imposed by the Uniform Commercial Code on all contractual dealings, the court emphasized that the requirement only applied to the good faith performance of explicit contractual provisions, and did not impose on the contracting parties any additional obligations not explicitly set forth in their contract.

Finding nothing within the standard form BP supply contract that affirmatively prohibited BP from recouping the promised discount by upping its sales price, the court said:

[T]he Court rejects Plaintiffs’ contention that Defendant breached any contractual duty by recouping the cost of the discount as part of the Jobber Buying Price. Nothing in the Contract prevented the Defendant from recouping the discount, nor did the Contract restrict what Defendant could consider in setting the ultimate Jobber Buying Price. To impose upon Defendant an obligation that it may not consider any prompt payment discount cost when it determines the price of its product would have the effect of re-

writing the parties’ contract, something not authorized or contemplated by [the generalized good faith requirement of the UCC].

Next, the court considered the separate and more focused good faith requirement expressly incorporated in the UCC’s open price term provision, § 2-305. There, the court held that the plaintiffs had failed to present sufficient evidence that BP had acted dishonestly or contrary to reasonable commercial standards because they could not show that BP had made any express promise “that it would calculate the Jobber Buyer Price by any particular method,” and because “every jobber that paid promptly actually received a one percent discount from the Jobber Buying Price.”

The court’s reasoning is difficult to swallow. When a supplier promises its customer a discount, presumably to permit the customer to compete more effectively with its competitors, isn’t it reasonable for the customer to assume that the supplier will not turn around and secretly negate its promise by upping its customer’s wholesale price? Isn’t such conduct in fact dishonest?

In their unsuccessful opposition brief, the plaintiffs not surprisingly relied upon the well-known Exxon “discount for cash” case, *Allapattah Services, Inc., v. Exxon Corp.*, 61 F. Supp 2d 1308 (S. D. Fla. 1999), *aff’d*, 333 F. 3d 1248 (11th Cir. 2003).

In *Allapattah*, it will be recalled, Exxon was ultimately compelled to pay its dealers over one billion dollars after the court held that it had violated § 2-305 by raising its dealers’ wholesale prices to cancel discounts that it had pledged to its dealers.

Distinguishing that decision from the case at hand, the court emphasized that in *Allapattah* “the dealers produced evidence that Exxon undertook an affirmative

obligation to price its wholesale gasoline in a particular way, failed to perform its obligation, and then lied to its dealers in an effort to avoid its obligation and drive selected dealers out of business.”

Except for the final phrase concerning an express intention to “drive selected dealers out of business,” aren’t the allegations made by the jobbers clearly comparable to those raised by the Exxon dealers? And the court found in Allapattah that all the affected dealers had been injured by Exxon’s misconduct, and not just those who had been targeted for extinction.

In sum, the Autry Petroleum decision appears to be a conundrum when contrasted to Allapattah. It will be interesting to see how it fares on appeal to the Eleventh Circuit Court of Appeals, the same court that affirmed the Allapattah decision for the dealers.

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### **Minimum Age For Cashiers Who Sell Alcoholic Beverages**

The regulations for clerks who sell alcoholic beverages taken from page 7 of the State Liquor Authority Handbook are as follows:

1. Clerks and cashiers who handle and receive payment for alcoholic beverages in drug stores, grocery stores and convenience stores must be at least 16 years old and must be supervised by someone who is at least 18 years old.
2. Clerks and cashiers in liquor and/or wine stores must be at least 18 years old.

**WORKERS’ COMPENSATION  
SAFETY GROUP #536  
DECLARED DIVIDENDS  
HAVE AVERAGED 34% FOR  
THE PAST EIGHT YEARS**

### **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. To use this service, please call 518-452-4367 or 716-656-1035

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### **We Have Changed Our Web Address**

The Association is pleased to announce a new web site. The old website has been completely revamped to provide you with easier faster access to the information you need. The new address is

**[www.nysassrs.com](http://www.nysassrs.com)**

Our e-mail address has changed to:

**[state@nysassrs.com](mailto:state@nysassrs.com)**

In addition to being able to read back issues of newsletters, and providing you with links to important sites we have added a bulletin board to keep you better informed as stories break.

## **WARNING**

**YOU CANNOT DO  
INSPECTIONS IF ANY OF  
YOUR EQUIPMENT IS  
MISSING OR INOPERABLE.**

**PERFORMING AN  
INSPECTION UNDER  
THESE CONDITIONS CAN  
RESULT IN REVOCATION  
OR SUSPENSION OF YOUR  
INSPECTION LICENSE.**

**NEW YORK STATE ASSOCIATION OF  
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