
SSRA

Service Station & Repair Shop Association of Central New York
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ATTORNEY'S CORNER

By Larry Culley

SEXUAL HARASSMENT

Under a new law (Sec. 201-g of the Labor Law) every employer in New York is now required to establish a sexual harassment prevention policy to combat it. In addition, there is a model sexual harassment prevention policy to be found through the following link: www.ny.gov/programs/combating-sexual-harassment-workplace.

Please take this law seriously. Failure to follow it can lead to action against business owners in multiple state agencies, including the Labor Department and the Division of Human Rights. Larger cities may have additional agencies to which you may be responsible. Moreover, private attorneys can also bring an action against you in court. The financial penalties can be very high, and that's not even counting attorney fees and other litigation costs even if you prevail. Now that this law has been passed you can be certain that there will be many attorneys and government inspectors out there running around looking to hang you up. Some examples of conduct that may constitute sexual harassment in a gas station-convenience store/repair shop business follow:

- Making sexual gestures, or displaying suggestive objects, pictures, cartoons, posters, calendars or computer screens.
- Making or using derogatory comments, epithets, slurs or jokes of a sexual nature.
- Verbal sexual advances or propositions.
- Verbal abuse of a sexual nature, graphic commentaries about an individual's body, sexually degrading words used to describe an individual, suggestive or obscene letters, notes, electronic mail messages, or invitations.
- Physical acts of a sexual nature such as touching, pinching, patting, kissing, hugging, grabbing, brushing against another employees body or poking another employee's body, rape, sexual battery, molestations or attempts to commit these assaults.
- Needless to say, any retaliation against an employee for coming forward about such conduct is strictly forbidden.
- Sexual harassment can also take place between two employees of the same sex and can also take place outside of the workplace between two employees.

Even if there is no overt sexual harassment claim made against you by an employee, you can still be liable to substantial fines and other penalties from the government if you fail to institute the required policies to combat sexual harassment and fail to keep records of which employees have received this training and when, their contact information when they leave your employ, and so forth. Visit the N.Y.S. website set forth above, or contact your Association, to learn more about this very important law.

The contents of this column are not intended as legal advice. I give no legal advice without an appointment and interview with a client.

INSIDE THIS ISSUE

- 1 *Attorney's Corner*
- 1-2 *New UST Compliance Deadline*
- 2 *Trump Orders Expansion of Corn Ethanol Sales*
- 2-3 *Done Deal: Marathon & Andeavor Close on \$23.3B Merger*
- 3 *Rack-to-Retail Margins Showing Signs of Life*
- 3 *The New Swipe Fee Settlement*
- 3-4 *LA Needs to Install 100 Electric Car Chargers A Week to Meet Clean Air Goal*
- 4 *Bill Introduced Would Eliminate Federal Electric Vehicle Tax Credits*
- 4-5 *The Best Body Shops' Tips:*
- 5 *Vehicle Security Professionals*
- 5-6 *FDA's E-Cigarette Crackdown Turns to Legality of 40 Products on the Market*
- 6-7 *FDA Launches New Comprehensive Campaign Targeted at Youth E-Cigarette Use*
- 7-9 *And More*

Sexual Harassment Compliance Date -- 10/09/18

The deadline for sexual harassment training and other compliance is October 9, 2018. The association has developed a program with sample questions and answers targeted for the Service station/Repair shop industry. See News and Announcement column at www.nysassrs.com.

UST Compliance Materials

The association has gathered information on the new EPA testing requirements for UST's. See the News and Announcement column at www.nysassrs.com for two valuable resources.

New UST Compliance Deadline

Some retail station owners in the U.S. are struggling to find contractors to get their sites in compliance with the Environmental Protection Agency's (EPA) underground storage tank (UST) regulations as the deadline approaches,

according to OPW, a company offering fluid-handling solutions.

The new UST regulations go into full effect this week on Oct. 13.

"The moment we've been helping distributors and site owners prepare for since 2015 has arrived, but the process is far from over for many fueling sites across the United States. ... It's now officially crunch time," said Ed Kammerer, director of marketing and global product strategy.

OPW said that it fielded many questions from retailers about the UST regulation at this week's PEI Convention at the NACS Show in Las Vegas, Nev.

On July 15, 2015, the EPA published an update to the UST regulation and the state program approval regulation in the Federal Register. The revisions strengthened the 1988 federal UST regulations by increasing the emphasis on properly operating and maintaining UST equipment.

There are four major regulatory requirements that all U.S. stations must be prepared for pertaining to new and existing UST systems, OPW said.

Testing of sumps and under-dispenser containment systems must be performed every three years if the system uses interstitial monitoring of the piping as its primary form of leak deterrence.

Spill-bucket testing will be required every three years, unless the UST system is outfitted with double-wall spill buckets where the interstitial space is tested regularly. Some states already require spill-bucket testing every year.

Whenever any component in the spill-protection, overfill-containment and secondary-containment areas of the UST system needs to be repaired, compliance testing of the repaired system must be completed within 30 days, regardless of whether or not an actual product release occurred.

Overfill-prevention equipment inspections will be required every three years, except in states where they are already required annually.

"It's important for each site owner to get their site compliant as soon as possible," added Kammerer. "Not just for the safety of their customers and our environment, but for their business as non-compliance penalties are fierce."

--Edgar Ang, eang@opisnet.com

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Trump Orders Expansion of Corn Ethanol Sales

In advance of his trip to Iowa yesterday, it was reported in the press that President Donald Trump ordered the U.S. Environmental Protection Agency (EPA) to increase sales of corn ethanol, Politico reports.

The order comes after weeks of tussling between the oil and corn industries over the president's promoting a bump in ethanol sales. The move could boost the Iowa Republican governor during her re-election campaign. Trump has been very supportive of corn ethanol, and will order the agency to let E15 be sold all year long. E15 currently is restricted from being sold during the summer in some states because of the Clean Air Act.

But the U.S. oil industry has staunchly opposed increasing ethanol sales, and it has pressed for EPA and Congress to overhaul the federal biofuels mandate that Congress first created in 2005 to help reduce U.S. dependence on imported oil. A major oil industry trade group countered that it would continue fighting against the action.

"President Trump has made strengthening the Renewable Fuel Standard an important priority of this administration," said EPA spokesman John Konkus in a statement. "He is fulfilling his promise by providing clear policy direction that will expand opportunities for our nation's farmers, provide certainty to our refiners and bolster the United States' role as a biofuels powerhouse. EPA will follow the president's direction and proceed as expeditiously as practicable."

Done Deal: Marathon & Andeavor

Close on \$23.3B Merger

One week after getting the greenlight from shareholders, Marathon Petroleum Corp. (MPC) and Andeavor have closed on its \$23.3-billion merger.

Under the terms of the transaction, Findlay-based MPC acquired all the outstanding shares of San Antonio-based Andeavor. The companies announced the deal on April 30.

"This transformative transaction is a significant milestone in our company's more than 130-year history," said MPC Chairman and CEO Gary R. Heminger. "MPC is now the leading refining, midstream, and marketing company in the U.S., and is well-positioned for long-term growth and shareholder value creation."

Upon closing, Andeavor ceased to be publicly traded and its common stock discontinued trading on the New York Stock Exchange.

"We are excited to begin unlocking the extraordinary potential across our new platform, including approximately \$1 billion of tangible annual run-rate synergies we expect within the first three years," Heminger added. "We look forward to sharing more details around our plans at our upcoming December Investor Day."

This merger expands Marathon's operations across key markets nationwide, combining the strong position it has historically enjoyed east of the Mississippi with the western United States presence that Andeavor has built over time, Heminger explained in April.

In refining, Andeavor's facilities in California, the Mid-Continent and the Pacific Northwest complement MPC's existing Gulf Coast and Midwest footprint, and will make the combined company the No. 1 U.S. refiner by capacity and a top five refiner globally with throughput capacity of more than 3 million barrels per day.

Pro forma, MPC will have a nationwide retail and marketing business of approximately 4,000 company-owned and -operated locations and approximately 7,800 branded locations.

MPC will keep its headquarters in Findlay with an office in San Antonio. Heminger remains at the helm of the

newly combined company. Former Andeavor Chairman and CEO Greg Goff joins MPC as executive vice chairman. In this new role, he will provide leadership and be integrally involved in the strategy for the combined company.

MPC is a leading integrated downstream energy company headquartered in Findlay, Ohio. The company operates the nation's largest refining system with more than 3 million barrels per day of crude oil capacity across 16 refineries. MPC's marketing system includes approximately 7,800 branded locations across the U.S., including approximately 5,600 Marathon-brand retail outlets.

Speedway LLC, an MPC subsidiary, owns and operates approximately 4,000 retail convenience stores across the U.S.

MPC also owns the general partner and majority limited partner interest in two midstream companies, MPLX LP and Andeavor Logistics LP, which own and operate gathering, processing, and fractionation assets, as well as crude oil and light product transportation and logistics infrastructure.

Rack-to-Retail Margins Showing Signs of Life

The fourth quarter got off to a rough start for rack-to-retail margins, but an upward move for retail prices and some downdrafts in the gasoline market have given marketers some breathing room.

Stronger oil prices have been one of the key factors in a move back toward spring peaks for retail gasoline prices after WTI and Brent reached multiyear highs last week. RBOB futures and physical gasoline markets had trouble keeping pace with crude oil, creating one of the rare times when refining margins and rack-to-retail margins were moving in the same direction.

Retail gasoline prices have gone up nationally, by about 4cts/gal over the past week, and stand at \$2.914/gal today, according to data from AAA compiled by OPIS.

Relatively comfortable gasoline supplies have kept a lid on gasoline prices, and while retail has floated higher so too have rack-to-retail margins. According to the latest data from OPIS Margin Pro, gross margins in the U.S. were up 2cts, to 19.4cts/gal, over the course of the past week.

OPIS data also reveal that five of six regions tracked have seen gross rack-to-retail margins gain week over week. The Midwest and Great Lakes regions have seen some of the best week to week performances gaining 3.6cts/gal and 4.4cts/gal, respectively. Not coincidentally, cash gasoline markets in the Group 3 and Chicago markets have seen premiums move from double digits in late September to inside of a nickel today.

The one region that is lagging, though, was the West, where the gross rack-to-retail margin was down 4.9cts/gal, but still the strongest in the country at just under 30cts/gal.

The West is made up of the Rockies and Pacific states along with Hawaii and Alaska. The decline in West margins focuses mostly on the Rockies, and in particular three states.

Idaho and Utah have seen a significant drop in gross rack-to-retail margins, falling 18.9cts/gal and 15.6cts/gal, respectively. Even with the sharp declines, some of the most

outsized margins are found in those states, as the Utah average stands at 32.8cts/gal and Idaho at 24.8cts/gal.

Though both states have seen rack-to-retail margins fall sharply over the past week, they are still among the strongest in the nation, with some counties seeing gross margins of 50cts plus in recent weeks, according to OPIS Margin Pro data.

It is likely that gross margins should be finding a short-term bottom in the Rockies as rack prices have been under pressure and some suppliers have become aggressive as well. This morning OPIS confirmed E10 rack sales in Salt Lake City discounted to the OPIS low of a little more than a nickel. In Idaho, there is virtually no difference between branded and unbranded rack prices and some discounts for 10% blended gasoline at various racks throughout the state are either side of a dime.

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The New Swipe Fee Settlement

NACS has raised concerns about the September 18 settlement announced in the In re Payment Card Interchange Fee and Merchant Discount Antitrust Litigation (MDL 1720).

“The broken swipe fee system will not be fixed simply by Visa and Mastercard throwing some money to merchants,” said Lyle Beckwith, NACS senior vice president for government relations. “These cases must bring real reform to make a difference. We are pleased to see that some of the merchants’ lawyers and representatives refused to sign onto this flawed settlement and are continuing to press for the changes that antitrust law calls for and merchants and their customers deserve.”

NACS is offering its members an on-demand webinar that will walk through the terms of the new \$6.24 billion settlement that Visa and Mastercard reached with plaintiffs’ lawyers. The webinar provides context for the settlement and covers what’s in the deal, what’s not in the deal and how the legal process will play out going forward. The webinar is intended to help NACS retail members understand the settlement and their options so they can best evaluate what to watch for and what steps to take.

NACS also has prepared a fact sheet, “The 2018 Visa, Mastercard Swipe Fee Settlement: What it Means For Merchants,” which is available to members (login required). The fact sheet includes information about what the settlement covers, who is eligible, what retailer members of the class will receive and what next steps retailers should consider.

LA Needs to Install 100 Electric Car Chargers A Week to Meet Clean Air Goal

Siemens, a large industrial manufacturing company, said on Monday that it is launching the eMobility calculator, a tool that will estimate the infrastructure requirements and

potential impacts of electric transportation in cities over the next 30 years.

Los Angeles will need to install 100 electric car chargers a week from now in order to meet its goal of an all-electric-vehicle landscape in 2050, the company said, based on the eMobility calculator.

The eMobility calculator projects that, in a city like Los Angeles, the number of electric vehicle chargers needed and amount of energy consumed by EVs peak in 2035, meaning the majority of investments in chargers and grid modernization will need to be made before then, it said.

And by adopting more shared eMobility options like electric vehicles and public transport, L.A. could reclaim 720,000 square feet of land, which equates to enough space for over 500,000 new homes, it added.

"As more cities look to electrify transportation to cut carbon footprints, reduce congestion and create new economic opportunities, they face the equally important need to support these new systems with robust infrastructure across vehicle charging, power grids, and the roads themselves," the company said.

This tool will give cities of any size a clear map of what type of infrastructure improvements will be required in order to electrify private cars, public buses, and other fleets, including estimates on the number of electric vehicles chargers needed, Siemens said.

Julia Thayne, Innovation and Technology for Cities, Siemens Cities Center of Competence, said that this tool is intended to map a clear pathway of how a city can shape its mobility networks to achieve long-term sustainability, both environmental and economic."

Although many cities' sustainability targets are set for the long-term, such as 2035 or 2050, Siemens' research has shown that cities need to start working to meet these goals today through a proactive approach to planning and investments, the company said.

The launch of the eMobility calculator coincides with a new research report from Siemens on "Powering the Future of Urban Mobility." The report takes analysis about long-term sustainability planning in cities from bird's-eye-view to street level, focusing on how people use different modes of transportation to navigate urban areas as one of the toughest, but most critical, topics for cities to address today and into the future.

--Edgar Ang, eang@opisnet.com

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Bill Introduced Would Eliminate Federal Electric Vehicle Tax Credits

U.S. Sen. John Barrasso (R-Wyo.) Tuesday introduced legislation that would end federal electric vehicle tax credits and would impose a federal highway user fee on alternative fuel vehicles.

Specifically, Barrasso said the Fairness for Every Driver Act would "terminate and repeal the electric vehicle tax credit up to \$7,500 for every new electric vehicle purchased for use in the U.S." The federal highway user fee that would

be imposed on alternative fuel vehicles would be paid into the Highway Trust Fund.

Barrasso said the free-market think tank Manhattan Institute estimates that eliminating the electric vehicle tax credit would save tax payers about \$20 billion over the next decade.

"The electric vehicle tax credit largely benefits the wealthiest Americans and costs taxpayers billions of dollars," Barrasso, who also serves as the chairman of the Senate Committee on Environment and Public Works, said in a statement. "My legislation levels the playing field for all drivers across America. Gas, electric and alternative fuel vehicles use the same roads. All should contribute to maintain them. My bill supports the Highway Trust Fund by making sure all drivers pay into the account that improves America's roads."

--Molly White, mwhite@opisnet.com

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The Best Body Shops' Tips:

How to Take Great Photos to Support Your Estimates

Written by Stacey Phillips

Writing a proper estimate is an important component of running a successful collision repair facility.

There are many aspects to consider when preparing an estimate, and Roger Cada, senior consultant for Accountable Estimating, said collision photography is a requirement that is often overlooked.

When taking photographs to document repair damage, Cada said that a poor image could actually work against you, costing a body shop time and money.

During a webinar held in September and hosted by Dave Luehr's Elite Body Shop Academy, Cada shared how to take pictures strategically to document damage as well as the repair process.

As collision repairers move into the world of ADAS systems and advanced high-strength steels, Cada said it's crucial to keep good records for every vehicle.

"Photos are a big part of this and provide the record you need so if you are challenged later on, you have the documentation that tells a story of exactly what was needed and what was done," he said.

Any information in the file also becomes evidence if it goes to litigation and can help protect your shop.

"As much as we might not like it, insurance companies are now expecting more information on the administration side," said Cada. "If you build an estimate correctly, and you are challenged in a court of law, documentation is better than your word."

When talking to webinar attendees, Cada drew on his 45 years of industry experience, which includes working in collision repair for 15 years. More than half of that time was spent as an estimator and business manager for independent shops and dealerships. In 1983, Cada joined State Farm Insurance and was a corporate lead trainer for estimators during the majority of his career. Part of this role included

working alongside automakers and information providers to write the most accurate estimates possible.

He said it's helpful to think about it this way: "If it's not documented, it never happened." As a result, he said his goal has always been to help shops achieve a positive outcome of success, so every detail of the estimate is covered and supplements are reduced, but not at the cost of reducing profitability for the shops.

Vehicle Security Professionals

The new SDRM 2.0 is waiting for you. NASTF is reaching out to all VSPs to view the links we are sending and to watch for email from us with directions to migrate your current account to the new SDRM 2.0. Please do not delay. Watch our migration video. When the count on that gets somewhere near 4000 We will begin inviting you to move your account. Here is a YouTube video to explain.

<https://youtube/AMQ6cyV3V0Q>

You will find EVERYTHING you need to do this on our website with links to migration file needs and the migration instruction video. Please watch it all the way through or you will miss the upload directions.

<https://www.nastf.org/i4a/pages/index.cfm?pageid=3532>

Thank you,

Donny Seyfer AMAM

Executive Officer

National Automotive Service Task Force

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FDA's E-Cigarette Crackdown Turns to Legality of 40 Products on the Market

The Food and Drug Administration (FDA) issued its calling on electronic cigarette companies in its latest move aimed at the recently deemed tobacco product.

On Oct. 12, the agency sent letters to 21 e-cigarette companies requesting information about whether the 40-plus products are being marketed legally or outside of the FDA's compliance policy.

Those receiving letters are the manufacturers and importers of VUSE Alto, myblu, Myle, Rubi and STIG.

According to Bonnie Herzog, managing director of tobacco, beverage and convenience store research at Wells Fargo Securities LLC, the companies include British American Tobacco, the parent company of Reynolds American Inc.; Imperial Brands plc, parent of Fontem Ventures; and Japan Tobacco.

"We are not surprised by the FDA's action as it attempts to get a better understanding of e-cigarette marketing tactics and rein in potential violators of the current deeming regulations," Herzog said. "Importantly, the letters do not mean the FDA is considering enforcement action."

All the companies have 30 days to respond to the FDA with evidence that the products named in each letter meet the deeming rule guidelines and have received an explicit order from the FDA permitting their marketing, she noted.

"Companies are on notice — the FDA will not allow the proliferation of e-cigarettes or other tobacco products potentially being marketed illegally and outside of the agency's compliance policy, and we will take swift action when companies are skirting the law," said FDA Commissioner Scott Gottlieb.

He added that the agency is committed to taking measures to stem the growth of e-cigarette use by underage users.

"If products are being unlawfully marketed and outside the FDA's compliance policy, we'll act to remove them. This includes revisiting our compliance policy that has resulted in certain e-cigarettes, including flavored e-cigarettes, remaining on the market until 2022 while their manufacturers submit applications for premarket authorization," he explained.

According to the commissioner, some of the products raise concerns because of their use of flavors. The FDA's deeming rules allow flavor use in e-cigarette; however, Gottlieb signaled the agency would be taking a second look at flavors last month, as Convenience Store News previously reported.

While the agency "remains committed to the potential opportunity for e-cigarettes to help adult smokers transition away from combustible cigarettes," it will not support that opportunity if leads to an increase in underage use, he noted.

As part of the FDA's comprehensive plan on tobacco and nicotine regulation, the agency extended the deadline for companies to submit tobacco product review applications for deemed tobacco products that were on the market as of Aug. 8, 2016.

That's the date the FDA's deeming rule extending its regulatory authority to e-cigarettes went into effect.

Since this extension, the FDA has received complaints that some companies may be marketing new products that do not meet the premarket requirements, and that were introduced or modified after the deeming rule's effective date.

FDA Launches New Comprehensive Campaign Targeted at Youth E-Cigarette Use

The Food and Drug Administration (FDA) unveiled a new target for its "The Real Cost" campaign: electronic cigarettes.

The Real Cost Youth E-Cigarette Prevention Campaign is aimed at nearly 10.7 million youth, aged 12-17, who have used e-cigarettes or are open to trying them. The initiative features advertising on digital and social media sites popular among teens. The agency is also placing posters with e-cigarette prevention messages in high schools across the nation.

"[The U.S. Department of Health and Human Services (HHS)] is committed to comprehensive efforts to protect America's youth from the dangers of using any tobacco or nicotine-containing products. We congratulate the FDA on the launch of this new, hard-hitting campaign about the risk of addiction and other health consequences that can result

from youth using e-cigarettes," said HHS Secretary Alex Azar.

"This public education campaign will reach teens directly and complement the aggressive steps the FDA is taking to crack down on the sale and marketing of e-cigarettes to minors," Azar added.

With its tagline, "Know the Real Cost of Vaping," the campaign aims to educate youth that using e-cigarettes, just like cigarettes, puts them at risk for addiction and other health consequences. The messages highlight that nicotine can rewire the brain to crave more nicotine, particularly because adolescent brains are still developing, according to the FDA.

Other messages highlight that e-cigarettes, among other things, can contain dangerous chemicals.

The ads will run on age-verified digital platforms such as YouTube, Spotify, Pandora, Facebook and Instagram, as well as "The Real Cost" campaign website and are targeted to reach teens with digital media and printed prevention messages in a school environment.

This includes using location-targeted advertising around high schools nationwide and placing e-cigarette prevention content on educational platforms that are typically accessed by students during the school day. Posters also will be placed in at least 10,000 high school bathrooms, and additional materials for students and educators will be distributed to schools, in collaboration with Scholastic and Students Against Destructive Decisions (SADD), the agency said.

"The FDA has a successful track record of using compelling, science-based public education campaigns to encourage kids to rethink their relationship with tobacco and is bringing the same approach to these new efforts to prevent youth use of e-cigarettes," said Mitch Zeller, director of the FDA's Center for Tobacco Products.

"E-cigarette use among youth is a tremendous concern and this new campaign will allow us to effectively communicate the dangers of these products to teens. Public education is a critical component of our ongoing work to prevent youth use of tobacco products and complements our enforcement and regulatory efforts to protect kids," Zeller added.

In April, the FDA introduced its Youth Tobacco Prevention Plan as a key piece to its efforts to keep e-cigarettes and vapor products out of the hands of underage users.

In its latest move, the agency announced it issued more than 1,300 warning letters and fines to retailers who illegally sold e-cigarette and vapor products to minors during "a nationwide, undercover blitz" of retail stores and online sites this summer, as Convenience Store News previously reported.

Justice Department Settles Biofuel Fraud Case

A Tulsa, Oklahoma, oil company, NGL Crude Logistics will retire 36 million biodiesel credits, called Renewable Identification Numbers, worth approximately \$10 million

and pay a \$25 million civil penalty under a settlement to resolve violations of the Renewable Fuel Standard program, the U.S. Department of Justice (DOJ) has announced.

NGL Crude Logistics, which was known as Gavilon at the time of the violations, committed fraud by generating Renewable Identification Numbers on batches of biodiesel that it sold back to the fuel producer, Western Dubuque Biodiesel. NGL then claimed a total of 36 million new RINs on the same fuel under later deals, according to DOJ.

Western Dubuque also paid \$6 million in its own civil settlement, bringing the total penalty for both companies to \$31 million.

The Justice Department said the fine and other penalties appeared to fall short of the revenues the NGL earned through the illicit biodiesel deals. However, the consent decree released by DOJ said NGL "does not have an ability to pay a penalty greater than that required by this Consent Decree," and that it had nearly violated its financial covenants in its credit agreements.

The U.S. Environmental Protection Agency, responsible for ensuring that transportation fuel sold in the U.S. contains a minimum volume of renewable fuel, discovered the violations through a tip and then followed up with an inspection and extensive investigation into NGL transactions.

NLRB Rolls Back Protections for Fast Food Workers

The National Labor Relations Board (NLRB) published a newly proposed rule that limits the extent to which companies can be held responsible for how their franchisees treat workers. An Eater article explains that "at the center of this controversial decision is the concept of "joint employers"—essentially, who is held responsible for how workers are treated when more than one entity controls or supervises their work (e.g., McDonald's the corporation and the independent franchise owner)."

Under the proposed rule, "an employer may be found to be a joint-employer of another employer's employees only if it possesses and exercises substantial, direct and immediate control over the essential terms and conditions of employment and has done so in a manner that is not limited and routine. Indirect influence and contractual reservations of authority would no longer be sufficient to establish a joint-employer relationship."

The previous ruling, set in 2015 during the Obama Administration, allowed employers that controlled other companies' workers indirectly to be considered joint employers.

The NLRB's proposed rule affects many businesses that operate under a franchise model, including McDonald's, Subway and Taco Bell. Eater reports that "labor and worker advocacy groups argue that the new ruling would permit big corporations to look the other way when their franchisees commit labor violations such as failing to pay overtime or failing to ensure a safe workplace, and hinder franchise workers' ability to unionize."

The public has 60 days to submit comments under the proposed rule.

Ralph Bombardiere Asks NYSDEC About The New UST Regulations

Q: With the upcoming requirements of sump testing, do you any procedures or know where I can get the acceptable procedures to test sumps for tightness?

NYSDEC: The industry standard is PEI RP 1200 and is available at <https://www.pei.org/recommended-practices-exams>. In addition, EPA recently released alternative testing procedures (with some restrictions on when it can be used) and is available at <https://www.epa.gov/ust/underground-storage-tank-ust-technical-compendium-about-2015-ust-regulations#spillbuckets> (scroll down to Alternative Test Procedures) with additional information at <https://www.epa.gov/ust/low-liquid-level-ust-containment-sump-testing-procedures>

Q: I assume a failure is not defined as a spill, if I m wrong, can you tell me who we need to talk to to plead our case?

NYSDEC: A sump test failure is considered a suspected leak and must be treated in accordance with 613-2.4(a). Generally speaking, it is anticipated that sump test failures will be reported to the spill hotline.

Q: Will New York put regulations in place in October?

NYSDEC: DEC is not adopting the EPA regulations by this October. Work will begin on the revisions to the regulations later this year/beginning of next year. Because NYS does not have State Program Approval and has not adopted any different date than EPA, the deadline for owners/operators to complete the requirements of the EPA regulations is October 13, 2018

Q: Can DEC supply the difference between the EPA and DEC Regulations? Can we have a seminar by DEC to update us.

NYSDEC: The differences between the EPA UST regulations and the DEC PBS regulations is mostly limited to financial responsibility (from the EPA UST 1988 regulations) and those requirements that come due on October 13, 2018. With the deadline less than 4 weeks away, I think that there is a need to just supply your members with the EPA plain English guidance documents so that they can have the work performed. EPA has provided several very useful documents and they are available at <https://www.epa.gov/ust/publications-about-2015-ust-regulation>

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 driver's license, vehicle registration, and vehicle title records for an additional fee of \$2 per abstract. Please call 607-398-7260.

Selling Your Inspection License

If you are thinking of retiring or selling your business and have a New York State DMV Inspection license, your license may be valuable depending on the county where your shop is located.

If you have questions on the sale and/or transfer of an inspection license call the association office at 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.

All Petroleum Bulk Storage Facilities

YOU WERE REQUIRED TO DESIGNATE A CLASS A AND/OR B AUTHORIZED OPERATOR TO NYS DEC NO LATER THAT OCTOBER 11, 2016

THIS WAS MORE THAN A YEAR AGO

If you have not done this you are now subject to a \$500 penalty from NYS DEC. This may now be unavoidable

If you have not reported this information to NYS DEC as of yet do so immediately. Communicate this information to DEC at operatortraining@dec.ny.gov

Or call the association office

SERVICE STATIONS REPAIR SHOPS USED CAR DEALER ATTENTION

Do you have problems

1. Getting into business - going out of business?
2. With government, Federal, State and Local?
3. Are you trying to settle a violation?
4. Need an attorney?
5. Have a small claims case?
6. Need a license, renew a license?
7. Learn and understand the laws that regulate your business?

We can help with almost any problem, legal environmental or regulatory.

Just call us 518-452-4367



**Service Station & Repair-shop
Association of Central N.Y., Inc.**
*AFFILIATED WITH THE NYS ASSOCIATION OF
SERVICE STATIONS & REPAIR SHOPS, INC.*

1235 Upper Front Street
PMB #105, Suite 5
Binghamton, NY 13901
Phone: 607-398-7260

October 2018

Dear Member/Supporter:

The Service Station and Repair-Shop Association (SSRA) Trade Journal is currently gearing up for the 2019 year. We are requesting your support. Your fellow members' use this publication as a means of doing business with co-members and those that support our industry and Association.

I am enclosing an application for your ad in the Journal. It can be used by both members and for companies that want our members to consider them first when in need of special services, supplies and/or materials.

We are asking you, as a member and/or supporter, to place an ad and to solicit your suppliers to take one as well. It is helpful to include advertisements in the trade journal not only for service stations, but for banks, insurance companies, providers of supplies and materials, food and beverage vendors, and all those with whom you do business with on a daily basis. Please feel free to copy this application and pass it on to them. You are the only one who knows who you do business with. Also, be sure to let them know that the 2018 Trade Journal is distributed to all association members and supporters and will include their contact information.

The Journal acts not only as a directory of telephone numbers and services, but tells everyone who we are and what we do. It provides a source of revenue to assist in our continued efforts to protect the industry and includes an extensive list of legislative issues in which the association is involved.

Remember, your dues and additional support given to the Association should never be considered an expense but rather an investment in your business and future!

If you have any questions please call (607) 398-7260. We look forward to your support.

Thank you.

Ralph Bombardiere
Executive Director

NEW YORK CITY - 10 Employees or Fewer

	Current	12/31/2018	12/31/2019	12/31/2020	12/31/2021
Gen Minimum Wage	\$12.00	\$13.50	\$15.00	\$15.00	\$15.00
Fast Food Min Wage	\$13.50	\$15.00	\$15.00	\$15.00	\$15.00
<i>Fast Food Differential</i>	<i>\$1.50</i>	<i>\$1.50</i>	<i>\$0.00</i>	<i>\$0.00</i>	<i>\$0.00</i>
Minimum Weekly Salary	\$900.00	\$1,012.50	\$1,125.00	\$1,125.00	\$1,125.00

NEW YORK CITY - 11 Employees or More

	Current	12/31/2018	12/31/2019	12/31/2020	12/31/2021
Gen Minimum Wage	\$13.00	\$15.00	\$15.00	\$15.00	\$15.00
Fast Food Min Wage	\$13.50	\$15.00	\$15.00	\$15.00	\$15.00
<i>Fast Food Differential</i>	<i>\$0.50</i>	<i>\$0.00</i>	<i>\$0.00</i>	<i>\$0.00</i>	<i>\$0.00</i>
Minimum Weekly Salary	\$975.00	\$1,125.00	\$1,125.00	\$1,125.00	\$1,125.00

NASSAU, SUFFOLK and WESTCHESTER COUNTIES

	Current	12/31/2018	12/31/2019	12/31/2020	12/31/2021
Gen Minimum Wage	\$11.00	\$12.00	\$13.00	\$14.00	\$15.00
Fast Food Min Wage	\$11.75	\$12.75	\$13.75	\$14.50	\$15.00
<i>Fast Food Differential</i>	<i>\$0.75</i>	<i>\$0.75</i>	<i>\$0.75</i>	<i>\$0.50</i>	<i>\$0.00</i>
Minimum Weekly Salary	\$825.00	\$900.00	\$975.00	\$1,050.00	\$1,125.00

UPSTATE -- ALL OTHER COUNTIES

	Current	12/31/2018	12/31/2019	12/31/2020	12/31/2021
Gen Minimum Wage	\$10.40	\$11.10	\$11.80	\$12.50	Indexed to Inflation
Fast Food Min Wage	\$11.75	\$12.75	\$13.75	\$14.50	\$15.00
<i>Fast Food Differential</i>	<i>\$1.35</i>	<i>\$1.65</i>	<i>\$1.95</i>	<i>\$2.00</i>	<i>??</i>
Minimum Weekly Salary	\$780.00	\$832.00	\$885.00	\$937.50	??

NYVIP2 MESSAGE No.242

DATE: 10/23/2018
TO: ALL INSPECTION STATIONS
FROM: OPUS INSPECTION

SUBJECT: NYVIP2 SOFTWARE VERSION LOCKOUT 10/25/2018

PLEASE BRING THIS MESSAGE TO THE ATTENTION OF THE STATION OWNER AND/OR MANAGER

You need to take immediate action! On August 31st, 2018 stations received NYVIP2 Message #241 which announced the rollout of software versions 18.06.01 and 18.08.01.

Please be sure that your NYVIP2 software is current and updated as required with version 18.08.01. The version number is displayed in the upper right hand corner of the NYVIP2 screen.

Stations that have not installed 18.08.01 software will be **locked out on Thursday 10/25/18.**

A lockout will interrupt your ability to inspect vehicles until you successfully update to software version 18.08.01.

If you need assistance installing the update, or you haven't received the update, contact the Opus Inspection Help Desk at 1-866-623-8378 (1-866-OB-D-TEST).

NYVIP2 Messages can be viewed at WWW.NYVIP.ORG under "Program News" on the Home Page, or from your stations NYVIP2 Computerized Vehicle Inspection System (CVIS) by going to the Station/Facility Menu – Utilities Menu – Documents and Information – View Bulletins/Messages - to scroll through all NYVIP2 messages by clicking the drop-down arrow under "Message Center."



Minimum Wholesale and Retail Cigarette Prices

As a result of price increases by manufacturers, the minimum wholesale and retail prices for certain brands of cigarettes in New York State have changed.

The minimum price enforcement date for this notice is October 1, 2018.

Minimum wholesale and retail cigarette prices must be determined by referencing manufacturers' list prices. Common list prices for certain standard brands are listed below. When a minimum price change occurs because of a manufacturer's price increase or decrease, the enforcement date of the change is the second Monday after the price change is announced. If a price change is announced on a Monday, that day is considered to be the first Monday. The enforcement date is in effect whether or not a manufacturer notifies the Tax Department of the price change.

After one manufacturer announces a price change, if other manufacturers also change their prices **before the second Monday after the initial price change is announced**, then those subsequent price changes will also be effective for enforcement purposes on the same second Monday.

When a minimum price change occurs because of an excise tax rate change, the enforcement date of the change is the date the rate change takes effect.

To determine the minimum wholesale or retail prices for any cigarette brand, you must refer to the manufacturer's price list. If you are unable to obtain the price list, please ask your supplier for assistance. In addition, Publication 508, *Minimum Price List for Cigarettes*, can help you determine the minimum prices of standard and nonstandard brands of cigarettes sold by the carton (20 cigarettes per pack, 10 packs per carton). For copies of Publication 508, see *Need help?*

The New York State minimum prices relating to each of the eight currently applicable manufacturers' list prices for standard brands are printed in the tables below.

You must charge your customers the minimum price or any price in excess of the minimum price.

You may not offer merchandise for sale as a tie-in with cigarettes if the total price of the items sold is less than the minimum price of cigarettes plus your cost for the other merchandise.

New York State (sales outside New York City)		Minimum sales prices for standard brands*				
Manufacturer's list price ** (per carton)	Agent's basic cost (per carton)	Type of sale				
		Wholesale (per carton)			Retail sales to the consumer	
		Agent to wholesale dealers	Agent to chain stores	Agent to retail dealers	Retail (per carton)	Retail (per pack)
\$43.54	\$87.04	\$88.01	\$88.55	\$90.62	\$96.96	\$9.70
\$47.54	\$91.04	\$92.04	\$92.61	\$94.77	\$101.41	\$10.15
\$48.54	\$92.04	\$93.05	\$93.63	\$95.81	\$102.52	\$10.26
\$51.74	\$95.24	\$96.28	\$96.87	\$99.14	\$106.07	\$10.61
\$51.84	\$95.34	\$96.38	\$96.98	\$99.24	\$106.19	\$10.62
\$60.78	\$104.28	\$105.40	\$106.05	\$108.53	\$116.12	\$11.62
\$62.10	\$105.60	\$106.73	\$107.39	\$109.90	\$117.59	\$11.76
\$64.78	\$108.28	\$109.43	\$110.11	\$112.68	\$120.57	\$12.06

New York City (sales within New York City)		Minimum sales prices for standard brands*				
Manufacturer's list price ** (per carton)	Agent's basic cost (per carton)	Type of sale				
		Wholesale (per carton)			Retail sales to the consumer	
		Agent to wholesale dealers	Agent to chain stores	Agent to retail dealers	Retail (per carton)	Retail (per pack)
\$43.54	\$102.04	\$103.14	\$103.78	\$106.20	\$113.63	\$11.37
\$47.54	\$106.04	\$107.17	\$107.84	\$110.35	\$118.08	\$11.81
\$48.54	\$107.04	\$108.18	\$108.85	\$111.39	\$119.19	\$11.92
\$51.74	\$110.24	\$111.41	\$112.10	\$114.72	\$122.75	\$12.28
\$51.84	\$110.34	\$111.51	\$112.20	\$114.82	\$122.86	\$12.29
\$60.78	\$119.28	\$120.53	\$121.27	\$124.11	\$132.79	\$13.28
\$62.10	\$120.60	\$121.86	\$122.61	\$125.48	\$134.26	\$13.43
\$64.78	\$123.28	\$124.56	\$125.33	\$128.26	\$137.24	\$13.73

* Minimum prices listed are for standard brands and standard packages (20 cigarettes per pack, 10 packs per carton). See *Computing the minimum wholesale cigarette prices* on page 2 for the markups for each type of sale listed.

** Consult manufacturer's price list to verify the price for each specific brand.

Furthermore, it is illegal for any cigarette agent, wholesale dealer, or retail dealer to induce, or attempt to induce, or to procure the purchase of cigarettes at a price less than the minimum price set by law. The Tax Department will issue this publication as notification for changes in the minimum prices each time a manufacturer's price change occurs or a state or city excise tax changes.

Prepaid sales tax – The prices listed in the *Minimum sales prices for standard brands* chart do not include any prepaid sales tax. The prepaid sales tax is paid by the agent at the time the cigarette tax stamps are purchased. The prepaid sales tax is passed along in each subsequent sale down to and including the retail dealer (but is not passed down to the consumer). At the time of delivery, the seller must give the purchaser either Form ST-133, *Certificate of Prepayment of Sales Tax on Cigarettes*, or have the required information included on the invoice.

State and local sales taxes – State and local sales taxes must be collected from the consumer at the time of the retail sale. Sales tax must be collected upon the total retail sale price, including sales in New York City (effective September 1, 2003). For more information, see Important Notice N-03-22, *Computation of Sales Tax on Cigarettes Sold Within the City of New York*.

Computing the minimum wholesale cigarette prices

Publication 508, *Minimum Price List for Cigarettes*, lists the minimum prices for standard and nonstandard brands of cigarettes by the carton (20 cigarettes per pack, 10 packs per carton).

The *basic cost of cigarettes* means the invoice cost of cigarettes to the agent who purchases from the manufacturer, or the replacement cost of cigarettes to the agent, in the quantity last purchased (whichever is lower), less all trade discounts (except discounts for cash), to which is added the full face value of any stamps (excise tax only) that are required by law. (The federal excise tax placed on the manufacturer would be included in the invoice cost of cigarettes from the manufacturer.)

The basic cost of cigarettes **does not** include any sales tax prepaid by the agent at the time the cigarette tax stamps were purchased.

The *cost of the agent* means the basic cost of cigarettes (as defined above) plus the cost of doing business by the agent. Unless otherwise substantiated, the cost of doing business by the agent is presumed to be as shown in the table below:

Percentage (plus 20 cents) of the basic cost of cigarettes per carton (20 cigarettes per pack, 10 packs per carton)	
Agent to wholesale dealers	7 ⁷ / ₈ % plus 20 cents
Agent to chain stores	1 ¹ / ₂ % plus 20 cents
Agent to retail dealers	3 ⁷ / ₈ % plus 20 cents

In determining the prices for nonstandard brands, remember that an agent may not sell cigarettes to wholesale dealers (as defined in the Cigarette Marketing Standards Act (CMSA)) below the basic cost of cigarettes plus 7⁷/₈% and 20 cents per carton (20 cigarettes per pack, 10 packs per carton). An agent or wholesale dealer may not sell cigarettes to a registered chain store below the basic cost of cigarettes plus 1¹/₂% and 20 cents per carton (20 cigarettes per pack, 10 packs per carton). An agent or wholesale dealer may not sell cigarettes to a retail dealer below the basic cost of cigarettes plus 3⁷/₈% and 20 cents per carton (20 cigarettes per pack, 10 packs per carton).

Anyone selling at a price less than the *cost of the CMSA retail dealer* minimum sales price must have proof on file that the customer was eligible for the lower purchase price. The *cost of the CMSA retail dealer* is presumed to be a 7% markup of the *agent-to-retail-dealers* price.

The selling price of cigarettes sold by one licensed cigarette agent to another, when the cigarettes are either picked up at the seller's warehouse or delivered to the purchaser's warehouse, is not required to include the cost of doing business by the agent, but it may not be less than the basic cost of the cigarettes.

If an agent sells cigarettes to a chain store with 15 or more outlets (excluding vending machine operators), the cigarettes are delivered to a central warehouse owned and operated by the chain store, and the chain store delivers the cigarettes to its outlets, the agent's selling price is not required to include the cost of doing business by the agent (that is, the agent's presumptive 1¹/₂% plus 20 cents minimum markup is not required). However, the price may not be less than the basic cost of cigarettes.

Custom stamping is the affixing of cigarette tax stamps by one agent for, or on behalf of, any other agent. It also includes the sale of stamped cigarettes by one agent to another agent. **Custom stamping** is prohibited without the prior written authorization of this department. Send your request to: NYS Tax Department, TDAB-FACCTS-Cigarette Tax Unit, W A Harriman Campus, Albany NY 12227-2992. If not using U.S. Mail, see Publication 55, *Designated Private Delivery Services*. See also Cigarette Tax Regulations (Title 20 NYCRR section 74.3(a)(3)). Violations of this provision may result in the revocation or suspension of the agent's license under Tax Law Article 20.

A licensed agent who sells cigarettes at retail is considered to be a CMSA retail dealer. The cost of the agent for those retail sales must be the same as the *cost of the CMSA retail dealer*.

Computing the minimum retail cigarette prices

To compute the minimum retail selling price for cigarettes (standard, nonstandard, generic, or subgeneric brands), 20 cigarettes per pack, 10 packs per carton, you may use Publication 508.

Anyone making retail sales of cigarettes must first determine the *agent-to-retail-dealers* minimum selling price and increase that amount by at least 7%.

If a retail dealer does not know the manufacturer's list price for computing the minimum retail cigarette price, the retail dealer should mark up the cartons or packs of cigarettes 7% above its invoice cost (excluding any prepaid sales tax).

If you need help determining the legal minimum wholesale or retail selling price of cigarettes, contact your supplier or call the New York State Miscellaneous Tax Information Center (see *Need help?*).

Civil penalties – Violations of the CMSA may result in the suspension of an **agent's** or **wholesale dealer's** license or the imposition of a fine not to exceed \$20,000, or both, for a first offense. Subsequent violations within three years may result in license revocation, suspension, or suspension plus a fine not to exceed \$50,000.

Criminal penalties – Violations of the CMSA by **wholesale** or **retail dealers** are a Class B misdemeanor and may result in fines of up to \$500 (or double the amount of the gain from the commission of the offense) or up to three months imprisonment, or both.

Need help?



Visit our website at www.tax.ny.gov

- get information and manage your taxes online
- check for new online services and features

Telephone assistance

Miscellaneous Tax Information Center: 518-457-5735
 To order forms and publications: 518-457-5431
 Text Telephone (TTY) or TDD equipment users: Dial 7-1-1 for the New York Relay Service

**NEW YORK STATE
ASSOCIATION OF SERVICE STATIONS AND REPAIR SHOPS**

**Web Training for:
DMV INSPECTOR TRAINING
(Instructions on how to sign in and take the training)**

1. Enter our nysassrs.com website either by cell phone or computer.
2. Find the training tab on the top of the screen (if in full screen view). If smaller there is a menu tab on the left of the screen. Click that and you will find the training tab there. It will bring you to an intro page to our training.
3. Inside the blue column SITE MAP you will see Inspector Training Material.

(Make sure you have an updated form of adobe flash player, if not you can access the abobe website from this page.)

4. Click on whichever inspector training you would like to download. We have:
 - a) Light/medium duty, and
 - b) Heavy duty inspection training available.
 - c) Motorcycle,

Note it may take a few minutes to download depending on your internet speed.

5. When download is complete you may access our full audio presentation.
6. You may also choose to access the DMV's version of the training which we provide the link for if you like. There is no audio or PowerPoint but DMV's presentation may differ a little to give you variety in training.
7. Besides training, our presentation takes you step by step to register for the testing for inspector certification.
8. If you have any questions contact the association office at 518 452-4367.

REGULATIONS ON USED CAR BONDS

Surety Bond

To get a surety bond, you must contact a surety insurance company. Make sure that the business name and mailing address on the bond exactly match the business name and mailing address on your DMV facility license, Make sure that you write your Facility Number on the bond.

Bond amount required from a dealer

The bond amount depends on the number of vehicles that the dealer sold in the previous calendar year, or if the dealer is licensed as a franchised new dealer. Refer to the chart below.

Number of vehicles sold in Previous calendar year	Bond amount
50 or fewer	\$20,000
More than 50	\$100,000
Franchise dealers selling cars, SUVs, light trucks, etc. Dealers selling only trailers motorcycles. Vehicles over 10,000 pounds, ATV's,boats and snowmobiles are exempt from the bond requirements.	\$50,000

**Need help getting a bond?
Call the association office.**

Lawley & NYSASSRS

New York State Association of Service Stations & Repair Shops

Together we have returned
\$48,127,294 to policy holders since 1991

NYS Worker's Compensation Program Highlights

- Up to a 25% upfront discount offered
- Over 30% Average Annual Dividend (25 Years)
- Save up to 55% off your current premium*
- Last year's dividend was 30% (\$2,701,765)
- Dividend checks as high as \$65,433 have been issued to our policy holders
- Easy quoting process
- Program available to all members



**Based on 25%
up-front discount +
declared dividends*

Bill Adams

716.849.8641 | badams@lawleyinsurance.com

lawleyinsurance.com | 361 Delaware Ave, Buffalo, New York

Lawley

*You owe it to yourself to make
sure you are getting the best deal.*



Heartland

NYSASSRS now offering “PAY AS YOU GO” billing

We are pleased to announce our newest Member Benefit Partner, Heartland Payroll Solutions. Through this partnership, any safety group participant can take advantage of their integrated billing solution with the NYSASSRS Safety Group.

Benefits of Pay As You Go:

- You pay premiums each pay period based on current payroll information.
- Improved cash flow management by sending accurate workers' comp premium to the carrier based on actual payroll
- Premium payments are automatically deducted by the NYS Insurance Fund
- Reduces the risk of year-end audit payments
- Better option than “direct bill policies” or “self-reported policies” that require periodic, larger premium payments

About Heartland:

- NYSASSRS members get an exclusive discount on payroll processing with Heartland
- Pay As You Go billing is FREE
- Processes payroll for more than 36,000 customers
- Cloud-based, feature-rich solution
- Three-year price lock on processing fees
- Dedicated Single Point Of Contact

For more information contact:

Chandler James

518-452-4367

chandler@nysassrs.com

Mobil Service Station, Auto Repair and Towing Business For Sale

*6 FUELING POSITIONS
2 DOUBLE GAS PUMPS WITH CREDIT CARD READERS
1 DIESEL & 1 KEROSENE PUMP*

*2 CONNECTED BUILDINGS WITH 4 BAYS
BUILDING 1: 28X48
BUILDING 2: 30X48*

*BUILT IN TIRE RACKS FOR 300 TIRES
3 HOISTS
12,000 LB JOHN BEAM ALIGNMENT RACK
HUNTER ALIGNMENT MACHINE
HUNTER TIRE BALANCE
HUNTER MACHINE
TOO MUCH TO LIST*

*SUCCESSFUL TOWING BUSINESS
POLICE AND AAA CONTRACTS
2 MEDIUM DUTY ROLLBACKS
10 TON WRECKER*

*GREAT LOCATION:
THINK POSSIBLE CONVENIENCE STORE*

BUSINESS HAS GROSSED \$3,000,000

**CALL (607) 382-0948
FOR DETAILS ABOUT THIS
EXCITING OPPORTUNITY**

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

NOTE: YOU CAN NOT BE A MEMBER OF THIS AND ANOTHER NATIONAL NAPA PROGRAM

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

ARE YOU AN OWNER OR EMPLOYEE IN NEED OF TRAINING?

DO YOU WANT TO PROTECT YOUR BUSINESS FROM
EXCESSIVE FINES

OR

THE POSSIBLE LOSS OF YOUR:

TOBACCO LICENSE

LOTTO LICENSE

ALCOHOL LICENSE?

DO YOU WANT TO BE CERTIFIED IN SECTION 609 MOTOR
VEHICLE AIR CONDITIONING (MVAC)?

THE NEW YORK STATE ASSOCIATION OF SERVICE STATIONS & REPAIR SHOPS

OFFERS ON-LINE COURSES THAT NOT ONLY PROVIDE
TRAINING AT YOUR CONVENIENCE, BUT AT VERY
COMPETITIVE PRICES FOR BOTH MEMBERS AND NON-
MEMBERS OF OUR AFFILIATES

ALL INFORMATION AND MATERIALS ARE PROVIDED
THROUGH OUR WEBSITE AT:

NYSASSRS.COM

QUESTIONS CAN BE DIRECTED TO (518) 452-4367. WE
ARE AVAILABLE TO PROVIDE PERSONAL ASSISTANCE.



Garage Insurance Survey

Name of Business:		
Street Address:		
City:	State:	Zip:
Phone #	Fax #	E-Mail:
Contact Person:		Phone # (if different from above)
Are you happy with the cost and service provided by your carrier/agent?		Yes No
If yes STOP here...		
If NO or NOT SURE you may want to look at the following		
Is your coverage insufficient?	Yes	No
Is the service poor to non-existent?	Yes	No
Is the cost too high?	Yes	No
Are you satisfied with your current coverage?	Yes	No
Are you interested in a quote from another insurer?	Yes	No
Is so please check each that apply:		
<input type="checkbox"/>	<input type="checkbox"/>	Property & Casualty
<input type="checkbox"/>	<input type="checkbox"/>	Workers Comp
<input type="checkbox"/>	<input type="checkbox"/>	Disability
<input type="checkbox"/>	<input type="checkbox"/>	Health
If you checked one or more of the above please provide the following information:		
Name of Current Insurer:		
Type of Insurance:		
Renewal Date:		
When/How is the best time to contact you?		

If you are interested in learning how you may save on insurance costs
Please fill out and fax to your local association at 518-452-1955



FOR OFFICE USE ONLY						
CIA	CIO	CIC	CIS	CIG	CID	
Certificate Number			County			
CIRCLE ONE: OE ADD						
Note: Check or money order must be attached to enter OE or ADD						
Group(s)	1	2	3			
	A	A	A	A		
		Y	N			
<input type="checkbox"/> Address Change						
TEST RESULTS						
Group(s)	1	2	3			
	P	P	P	P		
	F	F	F	F		
	N	N	N	N		
	W	W	W	W		
	Y	N	N	Y		

♦ **FOR ORIGINAL APPLICATIONS:** Answer **ALL** questions on **Page 1 and Page 2** that apply to you, and **SIGN** the application on **PAGE 2** or it will be returned to you for completion. You **MUST** be at least 17 years old and have **AT LEAST ONE YEAR OF MOTOR VEHICLE REPAIR EXPERIENCE** in the last 5 years immediately preceding this application, in the area in which you apply to be certified, or you must provide a copy of an acceptable school diploma in vocational motor vehicle trades. When your application is approved, DMV will notify you by mail of the date, time and location of the inspector training class. You **MUST** present photo ID at the class as proof of identity. If you have difficulty reading or understanding written material, please contact the office identified at the bottom of page 2 of this form.

♦ **FOR AMENDMENT AND DUPLICATE APPLICATIONS:** Answer questions 1-21 and **SIGN** in #25.

♦ **REQUIRED FEES**

Non-refundable application fee (\$10) and three-year certification fee (\$15).
Make check or money order for \$25 payable to the Commissioner of Motor Vehicles. You MUST send your check with this application. Starter checks are not accepted.

1 Check type of application: ORIGINAL AMENDMENT (No Fee) DUPLICATE (No Fee)

2 Have you ever applied for or taken a test to become a Certified Motor Vehicle Inspector? Yes No

3 Have you ever been a Certified Motor Vehicle Inspector and/or Body Damage Estimator?
 Yes No If "Yes," please write your Certification No. _____

- 4 Check all certification groups for which you are applying.
- Group 1** (Allows an individual to conduct safety, diesel emissions, OBDII emissions, and low enhanced emissions inspections of motor vehicles that have a seating capacity under fifteen passengers, and motor vehicles and trailers that have a MGW under 18,001 pounds, except motorcycles and semi-trailers)
 - Group 2** (Allows an individual to conduct safety and diesel emissions inspections of motor vehicles that have a seating capacity over fourteen passengers, motor vehicles and trailers that have a MGW over 18,000 pounds, and semi-trailers, except motorcycles)
 - Group 3** (Allows an individual to conduct safety inspections of motorcycles)

Please **print** or **type** in the open spaces next to the arrows.

5 LAST NAME	FIRST	M.I.	6 DATE OF BIRTH Month / Day / Year	7 SEX Male <input type="checkbox"/> Female <input type="checkbox"/>
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8 MAILING ADDRESS (Include Street No., Rural Delivery and/or Box No.)	9 HEIGHT Feet Inches	10 EYE COLOR
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11 STREET NAME	APT. NO.	12 HOME TELEPHONE (Include Area Code) ()
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13 CITY OR TOWN	STATE	ZIP CODE	14 COUNTY
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15 HOME ADDRESS (If Different From Mailing Address) NUMBER AND STREET (Include Street No., Rural Delivery and/or Box No.)	APARTMENT NO.	CITY	STATE	ZIP CODE
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16 Has your address changed since your last certification was issued? Yes No

17 CLIENT IDENTIFICATION NUMBER (From New York State driver license or non-driver ID) NOTE: Failure to provide a valid Client ID number will prevent issuance of a Certified Inspector card.	<input type="checkbox"/> Check this box if you do not currently have a New York State driver license or non-driver ID. A form (ID-5 VSC1) will be mailed to you with instructions on how to obtain a Client ID number.										
<table border="1"> <tr> <td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td> </tr> </table>											

PLEASE CONTINUE, AND SIGN ON PAGE 2.



NOTE: Failure to provide a valid Client ID number will prevent issuance of a Certified Inspector card.

18 PRESENT EMPLOYER	19 FACILITY NUMBER	20 BUSINESS TELEPHONE NUMBER ()
21 BUSINESS ADDRESS (NUMBER AND STREET)	CITY	STATE ZIP CODE

22 **FOR ORIGINAL APPLICATIONS ONLY**
 Have you ever been convicted of any felony, misdemeanor or improper motor vehicle inspection?
 Yes No If "YES," give details below: *(Applicants will not necessarily be rejected because of a conviction record. Such applications will be reviewed on an individual basis.)*

Date of Violation	Nature of Violation	Date of Conviction	Disposition & Fine	Court Location

23 **FOR ORIGINAL APPLICATIONS ONLY**
 By month and year, list the dates of all your motor vehicle repair experience. You must have at least one year of motor vehicle repair experience in the last five years **immediately preceding** the date of this application. Attach additional sheets if necessary.

Dates (From - To)	Employer's Name and Address	Describe Type of Repairs Performed <i>(be specific)</i>

24 **FOR ORIGINAL APPLICATIONS ONLY**
 List any trade school, vocational school, or other motor vehicle repair courses taken. Only approved schools are acceptable. You must provide a **COPY** of your diploma if you have less than one year of work experience.

Dates Attended	School Name and Address	Type of Course	Degree, Diploma or Certificate

Section 304(a) of the Vehicle & Traffic Law provides for the certification of motor vehicle inspection personnel. A Certified Inspector agrees to comply with the rules and regulations promulgated by the Commissioner of Motor Vehicles. Failure to comply with these rules and regulations may result in the revocation of this certification.

FALSE STATEMENTS MADE ON THIS APPLICATION ARE PUNISHABLE UNDER THE PENAL LAW.

25 **NAME** (PLEASE PRINT) _____

SIGNATURE _____ Date _____

(Sign Name in Full - DO NOT PRINT - No Nicknames)

♦ **SEND APPLICATION AND CHECK TO:**
 BUREAU OF CONSUMER AND FACILITY SERVICES
 Attn: Certification Unit
 PO Box 2700
 Albany NY 12220-0700
 Telephone (518) 474-7998

NOTE: Notify this office of any change in your address.

