



REPAIR SHOP AND GASOLINE DEALERS ASSOCIATION NEWS

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144 Fairport Village Landing 308
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March 2012



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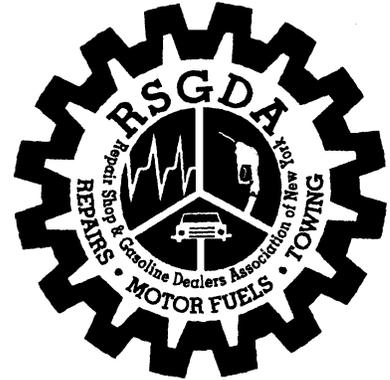
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Repair Shop and Gasoline Dealers Association

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Alesi's Coffers Grow With Support Of Gay Marriage

State Sen. James Alesi, the first Republican in his chamber to voice his support for gay marriage, raised more than four times as much money in the last six months as he did during a comparable period two years ago, boosted by gay marriage supporters from around the country.

Alesi, of Perinton, raised \$454,905 from donors far and wide since mid-July — more than all of his Senate peers — according to an analysis of campaign finance filings as of Wednesday by the New York Public Interest Research Group. Many state legislators raise campaign funds outside the district, but perhaps not as much as Alesi has in the last six months.

Just \$22,150, or 6.5 percent, of the \$341,463 in itemized individual donations he received came from the Greater Rochester area.

Alesi has said his support for gay marriage, announced in June, is important for other Republicans to see, and noted that some of his donations came from other like-minded Republicans. He said that he is planning to run again, despite potential opposition in his own party.

The Conservative Party has said it will not support him, which is seen as a key endorsement for Republicans in New York, though Alesi has not always had it.

Alluding to the Senate GOP's two-seat edge over Democrats, Alesi said Wednesday that "running a primary when a majority is so thin, I think would be a very dangerous thing."

"I'm a good Republican," he said. "I make no apologies for being a moderate

Republican, but this is New York state."

Alesi estimated that 60 percent of contributions he received in the last year came from people who support his gay marriage vote.

Among the 11 donors to contribute the maximum of \$16,800 were well-known gay marriage supporters, including billionaire Paul Singer and several of his family members, including one in London, England; billionaire conservative and businessman David Koch and his wife; and New York City hedge fund manager Daniel Loeb.

New York City Mayor Michael Bloomberg, who hosted a fundraiser for Alesi following the vote, donated \$10,300. Monroe County Republican Chairman Bill Reilich said he has not had discussions with potential Republican challengers to Alesi, and that he is neither encouraging a primary nor fighting one.

Any Way You Slice It, State's Fine Takes A Bite

Gov. Andrew Cuomo likes to say that New York is "Open for Business," and has laid out a welcome mat for entrepreneurs. But the Empire State still has a way to go if Christian King's experience is any indication. King is still shaking his head at the \$5,500 fine he's facing for failing to provide enough polo shirts to employees in his pizza shops.

King is president of KNC Holdings, which operates several convenience stores, gas stations and Papa John's franchise pizza parlors in the Capital Region. Late last year, staff from the state Department of Labor

came in for a multi-day audit of his pizza business. They spent a few days going through files, pay records and other data and gave him their seal of approval. "We were actually lauded for how good our records are," said King.

But then the inspector had some bad news: King wasn't providing enough golf shirts to employees. If they work five days a week, for example, employees are supposed to get five shirts — even if they work just a few hours per day. Then King was told he'd have to pay \$5,535 — with most of the money sliced up among his 35 pizza store employees. That struck King as excessively punitive. Department of Labor officials couldn't comment on the case, which is still open.

King's polo shirt punishment has caught the attention of his local Assemblyman, who wants to sponsor a bill that would let small

businesses fight back against the bureaucracy, or at least give it a try. A retired State Education Department bureaucrat himself, the Colonie Democrat tends to be reserved and soft-spoken, but he said he was incensed at what he believes is the disproportionate fine against King. "What should happen when you make a judgment is not that there is a fine but a correction," Reilly said, adding that failing to hand out enough polo shirts is hardly a serious crime. Reilly wants to propose a bill that would set up some kind of independent, expedited process by which businesses as well as non-profits could contest fines proposed by various state agencies.

State regulations go into painstaking detail about what employers must do when their workers wear uniforms. One section of labor laws governing the hospitality industry includes an entire section under "uniform maintenance pay." There are different

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regulations for outfits that must be dry-cleaned, compared to those deemed wash-and-wear. King noted that some of his employees, such as drivers, may work for just a few hours a day for two or three days a week. But the state was demanding a separate shirt for each day, which seemed excessive.

Moreover, King was told that an appeal would take years due to the backlog and the fine would accrue with interest. "It's a gun to your head," he said. Others say such complicated rules and strict enforcement is typical for the state. "Certainly New York is known for being one of the toughest regulatory states in the nation," said Rob Lillpopp, spokesman for the state Business Council. "What happened to him is not unusual," agreed Richard De Groot, a Syracuse consultant who advises businesses — including King's — on human resource issues. He represents employers across much of the Eastern Seaboard and says New York is unusually demanding. "There is so much in the way of state rules and laws," he said, adding that he would advise some businesses, such as manufacturers, to simply look to elsewhere.

De Groot believes the regulatory climate is so ingrained in some quarters of state government that a simple change of administrations may not be enough to fix those attitudes. "It doesn't matter whether there is a Democrat or Republican sitting in the governor's chair. New York just has historically not been a great state for an employer to operate in," he said. Part of that, De Groot says, comes from "the way the Legislature in Albany feels about employers." Reilly agrees, saying many of his counterparts in the Assembly Democrats are career politicians, lawyers or former public sector workers — anything but businessmen.

While he's now retired from the state Education Department, Reilly for years was also the longtime owner of an Albany bar, the Partridge Pub, which he sold in 2006. Operating that business, he recalled, meant dealing with constantly changing regulations, ranging from where one could put cigarette machines — when they had such devices — to how they could gather and recycle bottles. "It's a cumulative thing," Reilly said.

Gas May Top \$4 per Gallon This Summer

Gasoline prices may rise above \$4 per gallon next summer, according to a report by Bloomberg Businessweek. According to Edward Morse, the head of commodities research for Citigroup Global Markets Inc., the rise in fuel prices will be caused by a reduction in supply as refineries along the U.S. East Coast close.

Sunoco Inc. and ConocoPhillips have idled two plants and plan to shut a third that together can process more than 700,000 barrels a day of oil, or about 46 percent of the region's refining capacity, according to the report. That will increase the dependence on imports to meet fuel demand in the region that includes the delivery point for New York Mercantile Exchange futures contracts, the basis for national prices at the pump.

Energy Department data shows that cargoes arriving from abroad accounted for 19 percent of demand in the East Coast, or Padd 1 region, in September. Shipments from the Gulf Coast and Midwest met another 51 percent of consumption, with local refineries supplying the rest.

"We have a real supply problem ahead this summer because these refineries have not

made money and they are shutting down," Morse said Friday in a Bloomberg TV interview with Tom Keene. "Summer gasoline is harder to make than winter gasoline, and we could see \$4 as a floor price rather than a ceiling limiting demand."

Gasoline for January delivery on the NYMEX rose 1.8 percent to settle at \$2.6872 a gallon on the New York Mercantile Exchange, the highest settlement price since Nov. 8. Pump prices in the United States averaged \$3.224 a gallon yesterday, 7 percent higher than a year earlier, according to AAA data.

Senate Republicans Push for Keystone Pipeline Approval

The Keystone XL oil sands pipeline might get a new lease on life if Senate Republicans succeed in going around President Obama with new legislation filed Monday, The Hill reports. The GOP leaders are trying to get the project approved under the Commerce Clause, which gives Congress certain powers to bypass the president.

This proposal goes beyond the Republican amendment to last year's payroll tax cut agreement that gave the administration a deadline to decide on the project. The TransCanada Corp.'s pipeline will carry oil sands crude from Alberta to the Gulf Coast. However, Obama rejected the project last week, ahead of the deadline.

"This new bill is a lot like the old one, but it makes it definitive that Congress has the authority to push the Keystone XL pipeline forward," said Sen. David Vitter (R-LA), one of the bill's sponsors. Sens. John Hoeven (R-ND) and Dick Lugar (R-IN) also support the legislation.

A recent Congressional Research Service analysis found that the executive branch has usually okayed any facilities that crossed borders, but Congress also has power to do so, too. "[I]f Congress chose to assert its authority in the area of border-crossing facilities, this would likely be considered within its constitutionally enumerated authority to regulate foreign commerce," the analysis stated.

The senators and others supported the pipeline as a way to create jobs, among other benefits. "President Obama's opposition is not in the best interest of the United States. The president has failed to lead but we will not stop trying to complete this critical supply line," said Lugar in a statement.

However, environmental activists are against the pipeline because of concerns about possible spills, ecological changes to oil sands, and greenhouse gas emissions. But Senate Republicans have a long road ahead to gain passage of the bill, which Obama is highly likely to veto.

California's Low Carbon Standard Rules Spark Controversy

An article in the Washington Post assessed California's efforts to modify the standards of gasoline. The state's proposition, to lower the amount of carbon in fuel sold in the state, has sparked a public battle that to date has prevented the rule from being enforced. And in light of a strong opposing lobbying effort as well as tight state budgets, the Post speculated the "ambitious climate policy" might not ever get off the ground.

"To us, it's the most credible and powerful mechanism we can put in place," said Dan

Sperling, a member of California's Air Resources Board. "It's an incentive to invest in other things besides oil."

However, oil industry officials maintain the standards are too complex and could not be met, given the current supply of petroleum alternatives. Furthermore, they say the change would increase gas prices.

"[T]he policy "sounds really good at the 30,000-foot level," said Charles Drevna, president of the American Fuel and Petrochemical Manufacturers. "When you get down to terra firma, it's a giant energy tax and a fuel rationing scheme."

The proposed new standards assign carbon intensity values to nearly 250 types of crude along with ethanol, electricity, and hydrogen, calling for a 10% reduction of overall content of fuel sold in the state by 2020. Accordingly, refiners would have to mix low-carbon fuels into existing blends or buy credits to offset the amount of fuel they sell that exceeds the standards.

The focus of the standards is to reduce greenhouse gas emissions, which the state projects would fall by 23 million tons in 2020.

UC-Davis researchers analyzed the proposal and concluded a low-carbon fuel standard would lead to an extra 16 to 19 cents per gallon at the pump for consumers. The Consumer Energy Alliance, a coalition of oil and gas companies, estimated the standard would increase the cost of fuels for consumers by up to 170%.

Last month, a federal district judge ruled that California's proposed fuel standard was unconstitutional because it discriminated against out-of-state ethanol. The state is appealing the ruling as well as an injunction

that bars it from enforcing the rule.

Tupper Hull, a spokesman for the Western States Petroleum Association, said California's standards would be "incredibly costly and disruptive to a stable and secure supply of transportation fuels, noting its members, have "become increasingly concerned about whether the program they were designing was feasible."

U.S. Convenience Store Count Grows 1.2%

The U.S. convenience store count increased to a record 148,126 stores as of December 31, 2011, a 1.2% increase (1,785 stores) from the year prior, according to the latest NACS/Nielsen Convenience Industry Store Count.

The convenience retailing industry has seen remarkable growth over the last three decades. At year-end 1981, the store count was 71,400 stores, year-end 1991 the store count was 103,400 stores and at year-end 2001 the store count was 124,500 stores. The U.S. population on Dec. 31, 2011, was an estimated 313 million, according to the U.S. Census Bureau. That means that today there is one convenience per approximately every 2,100 U.S. residents.

Motor fuels sales continue to be important to convenience store operations. Overall, 81.7% of convenience stores sell motor fuels. A total of 120,950 convenience stores sell motor fuels, a 3.1% increase (3,653 stores) over last year.

The convenience retailing industry also continues to be dominated by single-store operators, accounting for 62.9% of stores (93,209 stores total). The growth of one-

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store operations again outpaced the overall growth in store count.

Texas (14,766 stores) once again was the state with the most convenience stores, followed by California (10,763 stores) and Florida (9,510 stores).

Five states had store counts grow at a rate that was more than double the national average: New Jersey (3.3% growth), Alaska (3.2%), Massachusetts (2.7%), Oregon (2.7%) and New York (2.6%). Growth in Washington, DC, was 2.9%.

According to Nielsen TDLinX, as of December 31, 2011, the total store count of convenience stores is 30,000-plus locations greater than the cumulative totals of competing channels, including supermarkets (32,924 stores), drug stores (38,526 stores) dollar stores (22,782 stores) and superettes (13,234 stores).

Marketing to Post-Recession Consumers

Retailers that want to stand their ground and even grow in 2012 will need to focus hard on understanding their target consumers and their new purchasing habits, according to a recent Nielsen webinar. James Russo, vice president of global consumer insights, hosted "What's In Store: 2012" and offered key statistics and insights into the mindset of post-recession consumers.

The first important thing to keep in mind is that while the recession officially ended in 2009, 90 percent of U.S. consumers still believe we are in one, said Russo. In 2011, markets and consumers were driven by uncertainty, with housing prices, equity and labor markets, fuel costs and inflation all acting as major influences.

In 2012, these concerns still exist, but different demographic groups are being affected at different levels. U.S. Department of Labor statistics from November 2011 show certain groups have been affected much more strongly than others when divided into categories of race/ethnicity, education level, age group and gender. Retailers need to keep these different levels of economic difficulties in mind when reaching out to consumers.

Retailers should focus on the "new normal," he advised. Today's consumer is focused and pragmatic, and needs to be analyzed in order to figure out what they're looking for. While circumstances are improving, they're not back to pre-recession levels. "Consumer confidence does make a difference," said Russo.

With no dramatic consumer changes in 2011 and pragmatic purchasing behavior expected to continue this year, the most successful businesses will be those that seek to innovate and communicate with their target market. "To understand this notion of what value means to consumers is really important," said Russo, who listed Nielsen's five keys to growth in 2012:

- REACH: An increasingly polarized consumer.
- LEVERAGE: Redefinition of value.
- ALIGN: With consumer need states for ad effectiveness.
- ENGAGE: The connected consumer in ways they trust.
- TARGET: Economically powerful consumer segments.

To make the most of these keys, retailers must evaluate their customers and target them appropriately. For consumers who spend less, the question is how to get them

into the store; for more affluent consumers, the question is how to get them to spend more per visit, according to Russo.

The notion of value itself must be redefined as retailers consider the way their brand resonates emotionally, something that should not be underestimated. "Value is not about price," he said. "It's about the balance between price and benefits."

When it comes to advertising, there are a number of ways retailers can be successful. Humorous ads have consistently resonated with viewers during the last five years; people always like to laugh, noted Russo. The increasingly strong performance of narrative and sentimental ads since 2006 suggests a nostalgic interest in better times, while ads that focus primarily on prices and product features do not resonate as strongly with consumers even in difficult economic times. Viewers respond best to ads that make a connection, Nielsen found.

A possible goal for retailers should be to attract one new customer per day, Russo suggested as the webinar drew to a close. The world is growing as the population does, but it is also getting smaller as people find more ways of communicating their experiences with one another, he said.

He noted that social media has become an ever-stronger method of communication, with the average Facebook user having 130 friends. Using this tool to reach out to consumers is just one step retailers should take in 2012. The key is to reach consumers in flexible ways.

Card Skimming Continues To Grow

Pay-at-the-pump card skimming attacks are

a growing concern. Despite press coverage and education efforts, skimming incidents continue unabated, according to a Bank Info Security report.

What makes fraudsters so dangerous is once they notice a town or city is educated to the point it can prevent such attacks, they move on to other locations where card skimming is less known, the report noted.

West Wendover is the latest locale to see skimming attacks grow exponentially. Police have issued a warning at ATMs and pay-at-the-pump gasoline terminals here. "I get the sense that this community in Nevada is, perhaps, somewhat new to the experience of gas pump skimming," John Buzzard, monitor for credit report agency FICO's Card Alert Service, told the news outlet. "It's not uncommon for small communities to inherit the problems of larger cities nearby, as fraudsters migrate their scams to areas where consumers are less aware of the possibility of having their payment cards skimmed."

Card skimming attacks are expected to continue because law enforcement penalties are not strict enough, said Chuck Groat, vice president of bankcard risk management at Zions Bank. "Pay-at-the-pump skimming is still really easy to perform, and I don't believe the proper incentives or penalties are in place to reduce these types of attacks from a merchant perspective," he said.

In addition, Groat said the expense of upgrading gas stations is too daunting for convenience store owners. "Investing in new technology may be higher than the perceived cost of any reputational risk," he added. "Or they just have a mindset of, 'It will never happen to me, so why take any proactive measures?'"

To help trim the number of skimming incidents, Robert Siciliano, a consultant and fraud expert, said c-store owners must unite to fight back. Banks have had limited success counteracting similar problems at ATMs.

"C-store owners] don't stand a chance in fighting this crime unless they collectively make significant changes and upgrades in the security of their existing technologies," he told Bank Info Security.

Visa and MasterCard have recognized the skimming problem and are both trying to help retailers. The credit card companies have announced card technology enhancements that must be completed between 2013 and 2015.

Cash Use Rises As Debit Stumbles

More consumers are passing on plastic and choosing to pay for their purchases using cash rather than credit or debit cards, according to an eCreditDaily report that cites a new survey by Javelin Strategy & Research. The research indicates that new regulations put into effect by swipe fee reform are causing confusion among consumers about the best payment method.

Javelin's report is based on a survey of 3,200 consumers, 79 percent of which stated they made a purchase using cash within the past seven days, and 65 percent of which stated they paid using credit or debit cards during that same time period.

Some of their hesitancy over debit/credit use stems from lack of education about the

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Durbin Amendment, which caps the amount banks can charge merchants per debit card swipe. After banks sought to regain those lost profits through other means, such as Bank of America's eventually cancelled \$5 monthly fee for debit card holders, they suffered a "big public relations hit in the last quarter of 2011 when they lost the opportunity to educate their customers," Javelin found.

Another cause of consumer confusion is the banks' increase of swipe fees for small ticket items, which has prompted some merchants to promote the use of cash.

Seventy percent of consumers now believe the new regulations will benefit banks, strongly outnumbering the 30 percent that believe they will benefit merchants. The Javelin data also shows that if banks impose debit card fees on consumers, 32 percent would switch to cash, 25 percent would use a credit card and 26 percent would move their accounts to a bank that does not charge such fees.

"Consumers love their debit cards, but the majority would choose different payment options if they were charged a fee for using debit," said Beth Robertson, Javelin's director of payments. She noted that banks should improve their messaging and educate consumers to improve understanding of the new regulations.

Murphy Oil Considering Downstream Spinoff In 2012

Murphy Oil Corp. may spin off its downstream division, parent to its 1,128 convenience stores, CEO and President David M. Wood said this afternoon during a company conference call.

"We will visit a separation of our downstream business this year," Wood said. "We will talk with our board and I suspect by the middle of the year, we will know what to do and what the timeline is."

Murphy's move would be just the latest in industry spinoffs, including the previously completed Marathon Petroleum Corp. spinoff from Marathon Oil Co., as well as the planned ConocoPhillips and Phillips 66 spinoff, which could take place as early as May.

Wood said several details need to be discussed before an official spinoff would be announced.

During today's call, Murphy Oil also reported its c-store sales results for the company's fiscal 2011 fourth quarter. Merchandise sales per store totaled \$157,425 per month. That compares to \$155,443 per store per month during Murphy Oil's 2010 fourth quarter.

Murphy Oil added 29 stores during its 2011 Q4. Another highlight, according to Wood, was the c-store division's 10-cent oil price "rollback" deal with Walmart.

"We ran that program from June through December," he said. "We're excited to continue our program with Walmart." U.S. retail fuel margins also rose to 13 cents per gallon during Murphy Oil's 2011 Q4, compared to 7.4 cents per gallon during its 2010 Q4. Despite a weak December, Wood said Murphy Oil's retail segment had an excellent quarter and 2011 fiscal year.

"We're well poised for future growth [at our retail division]," he added.

As for earnings at the entire company,

Murphy Oil lost \$113.9 million, compared to net income of \$174.1 million during its 2010 Q4. The loss was primarily due to a \$368.6-million impairment charge for the Azurite field in the Republic of Congo, the company said.

"We're off to a good start in 2012," Wood said, referring to Murphy Oil as a whole.

U.S. DOT Issues Final Ruling On Hours Of Service For Truck Drivers

The United States Department of Transportation's (DOT) Federal Motor Carrier Safety Administration (FMCSA) issued a final rule on Dec. 22 that includes new provisions to the hours-of-service (HOS) safety requirements. The new rule reduces the maximum number of hours that a truck driver can work in a week by 12 hours — from 82 to 70 hours on average within a seven-day period. Furthermore, it retains the 11-hour daily driving limit and introduces a provision requiring that truck drivers take a 30 minute break before driving more than eight consecutive hours. Finally, one of the more controversial elements of the new rule is the 34-hour restart, which allows drivers to restart the clock on their work week if they take 34 consecutive hours off over two nights between the hours 1 a.m. and 5 a.m., or when the 24-hour body clock demands sleep the most.

"Trucking is a difficult job, and a big rig can be deadly when a driver is tired and overworked," said Transportation Secretary Ray LaHood in a statement. "This final rule will help prevent fatigue-related truck crashes and save lives. Truck drivers deserve a work environment that allows them to perform their jobs safely."

The effective date of the final rule is Feb. 27, 2012, but the compliance date for such provisions as the 30-minute rest break and the 34-hour restart is not until July 1, 2013. Failure to comply with the provisions of this ruling will result in fines for trucking companies who allow their drivers to exceed the driving limits, as well as the civil penalties for individual drivers who do not abide by these restrictions.

NLRB Further Delays Rule Requiring Posting Of Employee Rights

On Dec. 30, the National Labor Relations Board (NLRB) announced that the effective date for last summer's final rule requiring employers to post 11x17 inch notices in the workplace informing employees of their rights to unionize under the National Labor Relations Act (NLRA) would be pushed back a second time. The NLRB stated that the postponement was necessary to "facilitate the resolution of the legal challenges with respect to the rule." Originally scheduled for Nov. 14, 2011 and then Jan. 31, 2012, the newly announced effective date is April 30, 2012.

The reasoning behind the NLRB's initial delay to the ruling was a desire for additional public education and outreach to the business community. This second change to the effective date can be attributed to the U.S. District Court for the District of Columbia, which recently requested that the NLRB postpone the effective date again due to a pending legal challenge to the rule.

A copy of the notice that must be posted is available at <http://www.nlr.gov/>. The Federal Register Notice announcing the

postponement of the rulemaking can be found at <http://www.gpo.gov/fdsys/pkg/FR-2011-12-30/pdf/2011-33571.pdf>.

Key FTC Official To Speak On Warranty Issues At 2012 Aftermarket Legislative Summit

Lois Greisman, associate director for marketing practices at the Federal Trade Commission (FTC), will address Aftermarket Legislative Summit attendees for the briefing session on Wednesday, March 14, to discuss the Magnuson-Moss Warranty Act and the commission approach to protecting consumers from unfair marketing practices. Given that her department is responsible for enforcement of Magnuson-Moss, Greisman will provide some important insights into how the commission enforces its requirements regarding warranty disclosures to consumers, and prohibitions on the conditioning of warranties on the use of original equipment parts or service.

Currently, the FTC is reviewing compliance guidelines that are provided to companies to ensure that companies that provide warranties on consumer products are in compliance with requirements established in Magnuson-Moss. These requirements ensure that warranty terms are properly disclosed and fulfilled by companies selling products to consumers. The FTC also is currently reviewing a complaint submitted by AAIA regarding a release from Mazda that proclaimed aftermarket parts to be of lower quality and largely untested, which the association contends is misleading and possibly in violation of prohibitions in Magnuson-Moss against conditioning of warranties.

Wednesday's briefing session will also include a panel discussion on the current

political climate featuring Ed Gillespie, former counselor to President George W. Bush, and Terry McAuliffe, former chairman, Democratic National Committee. Summit attendees will then spend Thursday, March 15, on Capitol Hill meeting with the individual congressional offices.

Payroll Tax Relief

Under "permanent" law, the federal payroll tax consists of two parts. Employees pay a 1.45 percent "Medicare" tax on all wages and a 6.2 percent Social Security tax on all wages earned up to \$106,800 (in 2011) and self-employed individuals pay a 2.9 percent Medicare tax on all self-employment income and a 12.4 percent Social Security self-employment taxes of on all their self-employment income up to the same threshold. TRUIRJCA provided temporary relief, until the end of 2011, which reduced that social security part by two points. This means employees paid only 5.65 on the first \$106,800 of wages and 7.65 on the remainder (The employer share of the tax was not reduced) and self-employment individuals paid only 13.3 percent on the first \$106,800 of self-employment income in 2011 and 15.3 percent on the remainder.

The Temporary Payroll Tax Cut Continuation Act of 2011 extended the relief until February 29, 2012.

Alternative Minimum Tax (Expired)

TRUIRJCA included the latest extension of the temporary increases in the income levels at which the Alternative Minimum Tax (AMT) applies through 2011. This "rolling" extension is referred to as the AMT "patch."

The law provided that the individual AMT exemption amounts for taxable years beginning in 2011 were \$74,450, in the case of married couples filing a joint return and surviving spouses and \$48,450 in the case of individuals.

In 2012, the exemption amounts have reverted to \$45,000 for married couples filing jointly and \$33,750 for individuals. (This is one relief fix that can be rectified in 2012 and even in early 2013 with minimal taxpayer harm, since for most, the ramifications occur when tax returns are filed.)

Enroll Your Business With Energy Plus!

As a resident of New York, you have the choice to decide who lights up your business. To help members with this decision, NYSASSRS has partnered with Energy Plus®, one of the fastest growing energy suppliers, to offer members a custom electricity and natural gas program. You can enroll with Energy Plus to receive an Activation Bonus just for signing up and annual Cash Back on your energy supply charges each year!

When you enroll your business with Energy Plus, you will be eligible to receive a \$50 Activation Bonus AND an automatic 3% Cash Back rebate on your annual electricity supply charges. You can also enroll your home for a \$25 Activation Bonus and earn annual Cash Back rebates of 2%. Earn even more Cash Back when you enroll your natural gas account. Business accounts receive 3% Cash Back and home accounts receive 2% Cash Back with a \$25 Activation Bonus.

Switching is easy as there are no sign-up fees, cancellation fees, or long-term commitments, and even staff members can save. There are no changes to your service - your utility company will continue to deliver your electricity and natural gas, mail your bill, read your meter and handle any power outages/service issues. To be eligible, you just need an address within the Energy Plus service area, which covers all of New York State, except areas covered by the Long Island Power Authority (LIPA), due to limited eligibility for choice programs in the LIPA region.

Call Energy Plus at 855-388-5274 and mention Offer Code “SER-0059.”

DMV RECORD RETRIEVAL

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

STAY IN TOUCH

The Association website is
www.nysassrs.com
Our e-mail address has changed to:
state@nysassrs.com

**Did Your Worker's Comp
Policy Give You 35% Of Your
Premium Back Last Year?
Call The Association Today
To Receive A Price Quote**

Lawley

New York State Association of Service Stations & Repair Shops, Inc.

Declares Dividend

Workers Compensation Safety Group #536
Pays dividend for the 19th consecutive year.

35%

(Applies to Policy Term 5/1/09 - 5/1/10)

**Dividend checks will be mailed
direct to your address
by The State Insurance Fund**

Recent Dividend History

35%	08-09
35%	07-08
30%	06-07
30%	05-06

Lawley – Group Manager
Workers Compensation State
Fund Safety Group #536

Jim Propis
716 849 8235
jpropis@lawleyinsurance.com
lawleyinsurance.com



Let your energy bill *pay you back*



Enjoy all these great benefits when you switch your energy supplier to Energy Plus®



\$50 Activation Bonus after two months of active service for your business' electric accounts*



Earn 3% Cash Back every year on the supply portion of your business' electric bill*



Earn even more Cash Back when you enroll your natural gas account*



No commitment when you enjoy the same service without risks, fees, or long-term commitments

▶ **IS THERE ANY COST TO ENROLL OR CANCEL?**

Not at all! There is no cost to enroll with Energy Plus and you can cancel service at any time without penalty. Give Energy Plus a try risk-free today.

▶ **FOR YOUR BUSINESS AND HOME.**

Energy Plus provides energy to both homes and businesses throughout New York so you can enroll all your energy accounts. Members with electric residential accounts are also eligible to receive a \$25 Activation Bonus and 2% Cash Back annually on the supply portion of their electric bills. Homes and businesses receive an additional \$25 Activation Bonus and up to 3% Cash Back on natural gas supply charges every year.* Sign up both your business and home today!

▶ **NO INTERRUPTION TO YOUR SERVICE.**

The best part is that nothing about the way your service is delivered will change. Your local utility will continue to deliver your energy, read your meter, handle service emergencies, and send your monthly statement. You'll be earning Cash Back while still enjoying the safety and reliability of your current service.



▶ **HOW DO I EARN CASH BACK?**

Once you select Energy Plus, you will receive a Cash Back rebate check automatically after every 12 months of service. Your Cash Back rebate will be 3% of your annual electricity supply charges for home accounts and 5% for business accounts. Earn even more Cash Back when you enroll your natural gas account. Home accounts receive 2% Cash Back and business accounts receive 3% Cash Back on your annual natural gas supply charges.



To learn more or enroll, visit this special offer page at www.EnergyPlusRewards.com/NYSASSRS59 or call **855-388-5274** and mention Offer Code "SER-0059".

ENERGY PLUS

*If enrolling an electric account, a \$50 Activation Bonus for business accounts or a \$25 Activation Bonus for residential accounts will be awarded after completing 2 billing cycles of active electric service with Energy Plus. If enrolling a natural gas account, a \$25 Activation Bonus check for business accounts or a \$25 Activation Bonus check for residential accounts will be awarded after completing 2 billing cycles of active gas service with Energy Plus. Active accounts are defined as those (i) that are billing more than \$0 and (ii) for which Energy Plus has not received a request on behalf of the customer to discontinue (drop) their service. Please note, if you enroll both electric and gas accounts, it is possible your services will start on different dates - so your bonuses may be awarded on different dates. Members will receive a Cash Back rebate check after every 12 billing cycles of service for active accounts. The Cash Back rebate will be 3% of the annual supply charges per business account and 2% per residential account. Account eligibility for a natural gas Activation Bonus requires a minimum of 500 annual therms or eqs, based on historic usage as estimated by your utility at the time of enrollment. Electricity service is provided through Energy Plus Holdings LLC and natural gas service is through its affiliate Energy Plus Natural Gas LLC. The Energy Plus rate is variable and therefore subject to change each billing cycle. Current and historical rates should not be taken as a guarantee of future rates and Energy Plus makes no warranty, express or implied, regarding specific savings. If you are currently on a Budget Billing plan, your monthly budget billing amount may be adjusted as a result of enrollment with Energy Plus. In addition, your utility may perform a true-up upon enrollment with Energy Plus. Depending on various factors, including season, this true-up could result in a charge, or a credit. Electricity offer valid for NY residents excluding areas serviced by the Long Island Power Authority (LIPA). Natural gas offer valid for NY residents with heating accounts in areas serviced by Consolidated Edison, National Grid (Keystone NY), National Grid (Niagara Mohawk), Orange & Rockland and National Fuel Gas. Energy Plus reserves the right to discontinue or modify the program and other offers cannot be combined with this offer. Your local utility company will continue to deliver your electricity and/or natural gas, as applicable. Offer not valid for government entities.

RSGDA

LEGAL PLAN

As a member in good standing of the Association, you are entitled to participate in our group legal service plan. If you are in need of this service, you must first call the Association office at (585) 423-9924. An appointment will be arranged that will be convenient for you and the attorney.

Covered services available to members include:

- Defense in Small Claims Court if your business is sued or at Department of Motor Vehicles or at any other New York State Administrative Proceeding hearing. (Once per year.)
- Review of leases, supply contracts and franchise agreements to advise you of your obligation under these contracts. The plan does not include actual negotiation on your behalf. (One hour per issue, up to five hours per year.)
- Consultation on legal questions pertaining to your business. (One hour per issue, up to five hours per year.)

Appeals of judgments against you are not a covered benefit, but are available to members at special contract prices.

Additional legal services will be provided by the designated law firm's standard hourly rate less 15%. Special contract prices have also been negotiated for the following services.

- Residential real estate purchase or sale. The designated law firm will represent you in the sale of purchase of your primary residence and/or a second home or vacation property at the following rates:

Sale	\$295.00
Purchase	\$350.00
- Simple will \$75.00 Simple will (husband and wife) \$125.00

In order to participate in the plan you must be a member in good standing and must have been a member for ninety days prior to the need for legal service.

RSGDAofWNY

Repair Shop and Gasoline Dealers Association of Western New York

Member Legal Services Plan

Administered by

KENNEY SHELTON LIPTAK & NOWAK, LLP

Dues paying members in good standing with the Association are entitled to participate in our group legal services plan that provides the following services:

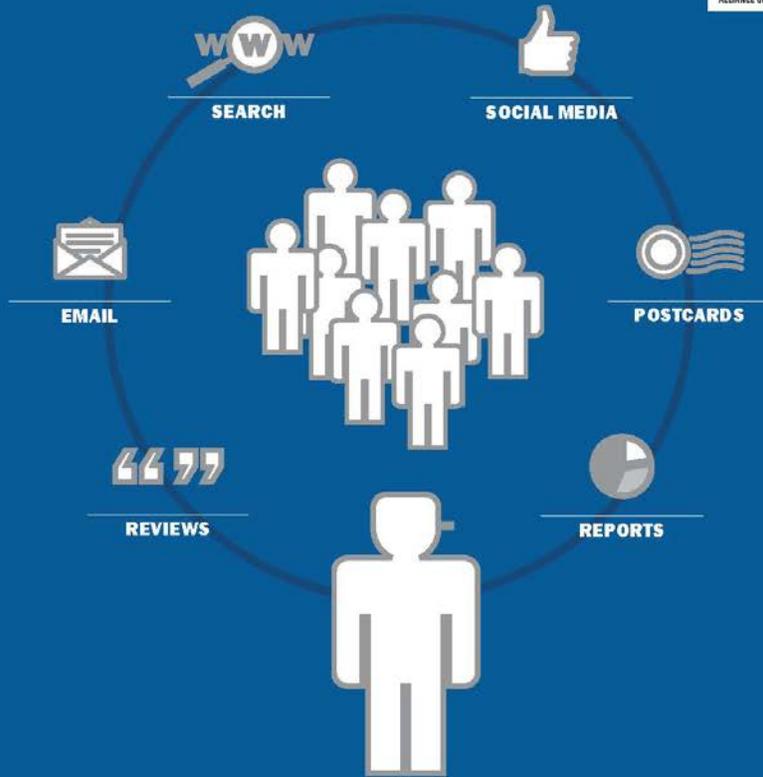
- Five billable hours of legal services for representation and defense at Department of Motor Vehicles or any other New York state Administrative Proceeding or Hearing for repair-shop related issues, and in Small Claims Court, if your business is sued. The Plan does not include representation in any court other than Small Claims or in any matter where the member is charged with a misdemeanor or felony.
- Additional legal services for covered services as listed above, and representation in business-related matters brought in any court other than Small Claims, will be provided at the law firms standard hourly rate (\$200) less 25% member discounted rate (\$150).
- One hour of free consultation per year for business-related transactions, including leases, supply contracts, and franchise agreements.
- Real estate (residential) purchase or sale at a flat fee rate:
Sale \$400
Purchase \$400
- Estate planning at a flat fee rate:
Simple will (single) \$100
Simple will (husband and wife) \$150

In order to participate in the plan, you must be a dues paying member, in good standing, and must have been a member for at least ninety days prior to the need for legal services.

If you are in need of this service, you must first call the association office at (585) 423-9924 or (716) 656-1035. The association will then contact the law firm to relay your information. You will be contacted by the law firm, personally, to schedule an interview.

The law firm of Kenney Shelton Liptak and Nowak, LLP was chosen to administer the RSGDAofWNY legal plan based on their knowledge and familiarity with the needs of our industry.

**To become a dues paying member of RSGDAofWNY
and be eligible for legal services, call (716) 656-1035**



SOCIALCRM: SHOP MARKETING MADE SIMPLE

**AASP Members Receive
\$15/month off SocialCRM**

Includes new SocialCRM sales and upgrades of existing eCRM customers to SocialCRM. It does not include a discount on new sales of the eCRM product level.



Powerful. Intelligent. Simple.

Please Contact Your AASP Sales Representative
to Schedule a Mitchell 1 Presentation



SEARCH

GO WHERE NEW CUSTOMERS CAN FIND YOU

Our Customer Review System allows your customers to create reviews of your service, which are automatically verified as authentic customer reviews. These reviews, with keywords added to optimize performance, create Search Engine-friendly links – driving your search visibility upwards, where new customers can find you.



EMAIL

STAY CONNECTED TO CURRENT CUSTOMERS

Turn first-time customers into loyal, profitable customers automatically. Mitchell 1's Social CRM integrates seamlessly with your shop management system, calculating mileage history and combining that with specific maintenance schedules to determine next recommended services. Includes:

- Email matching with your customer database
- Ongoing automatic email service reminders
- Target market promotions
- Customizable large-format postcards, artwork, and logos



POSTCARDS



SOCIAL MEDIA

IT'S TIME TO GET SOCIAL MEDIA WORKING FOR YOU

Your dedicated support agents will set up your Facebook page for maximum word-of-mouth marketing. Compelling content, AutoNetTV™ videos and Customer Reviews will be automatically pushed to your Facebook page on a regular basis to keep your shop visible and your customers engaged. Facebook links will be included in the Thank-You emails and on your customer's personalized vehicle maintenance website, OwnerAutoSite.com.



REVIEWS

GIVE YOUR SHOP A REPUTATION BOOST

Your customer reviews are posted to the web, complete with Overall Satisfaction Star Ratings, Review Comments, and Recommend scores. The Customer Review System can also verify which reviews are from actual customers, which studies prove are typically higher than unverified reviews. With ReScore, you can ask for a follow up review once you've had the opportunity to resolve a customer concern.

- Automated low score alerts
- Review customer verification
- Links to your shop's website
- Respond to customer reviews



REPORTS

SAY HELLO TO MARKETING CRUISE CONTROL

Your Mitchell 1 Support Agent will work with you to set up your SocialCRM service and monitor its performance with our extensive Summary Reports. Your support agent will:

- Set up Facebook page and create automatic feeds of video and review content
- Help you choose automatic Email and Postcard campaigns
- Review your Summary Reports and recommend tuning your program for maximum return on your investment
- Help you create coupons and send targeted email blast campaigns



Q1 2012

<u>Manager</u>	<u>Promo Price</u>	<u>AASP Price</u>
Manager, Single User	\$0 S&I \$109/mo	\$99/mo
Manager, Multi User	\$0 S&I \$135/mo	\$125/mo
ManagerPlus, Single User	\$0 S&I \$139/mo	\$129/mo
ManagerPlus, Multi User	\$0 S&I \$175/mo	\$165/mo

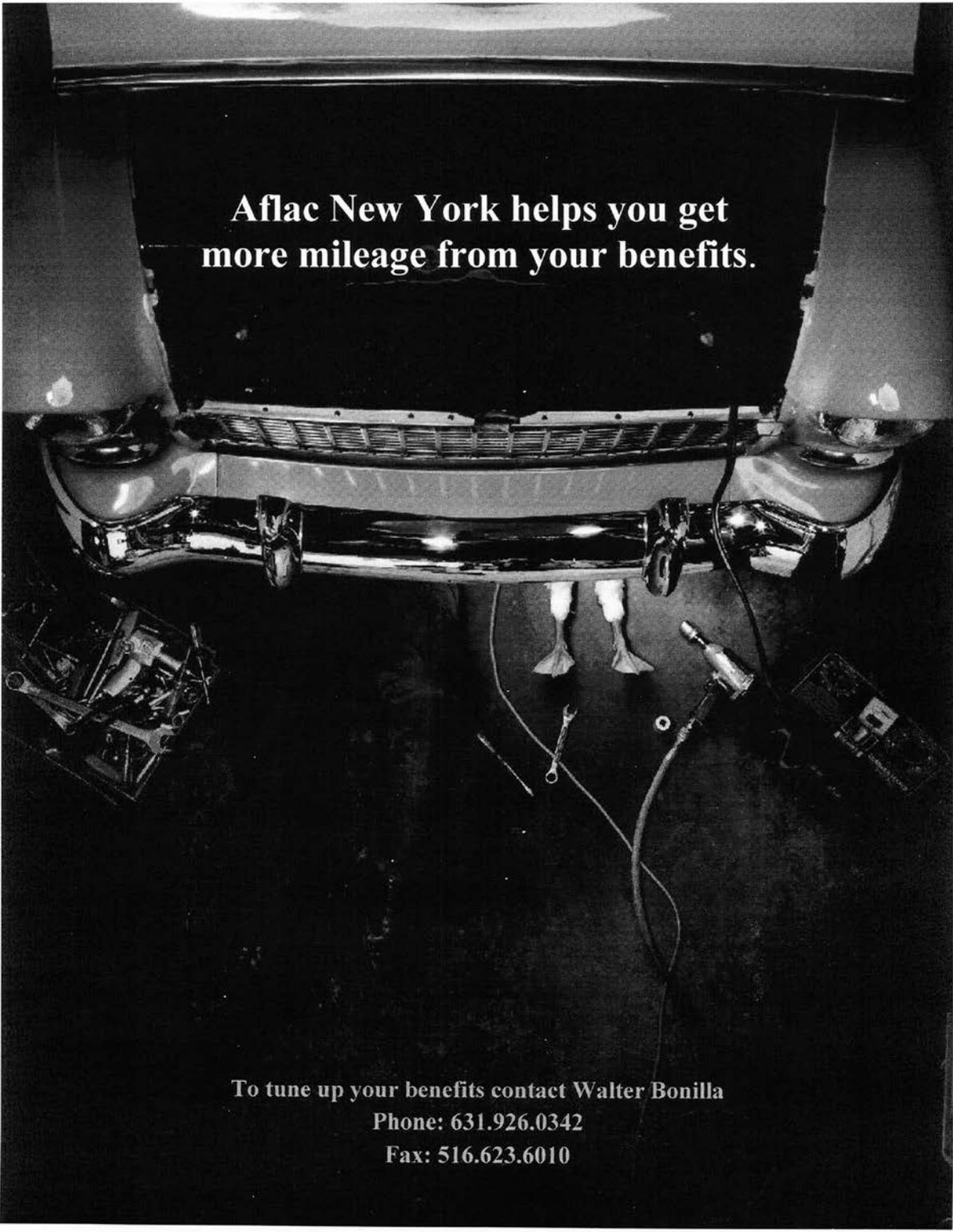
<u>TEAMWORKS</u>		
Manager, Single User w/OnDemand5.com	\$0 S&I \$209/mo	\$199/mo
Manager, Multi User w/OnDemand5.com	\$0 S&I \$259/mo	\$249/mo
ManagerPlus, Single User w/ OnDemand5.com:	\$0 S&I \$239/mo	\$229/mo
ManagerPlus, Multi User w/OnDemand5.com:	\$0 S&I \$295/mo	\$285/mo

Other Products available as bundles or individually

OnDemand5.com	\$0 S&I \$159/mo	\$149/mo
Medium-Truck.net	\$0 S&I \$129/mo	\$119/mo
Tractor-Trailer.net	\$0 S&I \$235/mo	\$225/mo
SocialCRM	\$0 S&I \$199/mo	
SocialCRM - AASP Members Only	\$15.00/mo Off Promo Price	1st Quarter 2012

Please contact your local Mitchell1 Representative for more info.
 To find your local representative, or submit a lead, go to: www.m1leads.com/aasp

- Prices should not be shared as an example only. Prices may vary depending on the product needs of the Repair Shop Customer.
- All products come with a 30 day cancellation policy from Mitchell1.
- All products require 12-month agreement. After initial 12 months, each renewal period is 12 months with 30-day guarantee period commencing on renewal date.
- All products offered as software only; customer must provide hardware.
- All products include on-site training and installation.
- Network set up, installation and installation of all multi-user products is the responsibility of customer. Obtaining the services of a Network Professional to set up the network and install all multi-user products is highly recommended.
- Promotional pricing ends March 31, 2012.



**Aflac New York helps you get
more mileage from your benefits.**

To tune up your benefits contact Walter Bonilla
Phone: 631.926.0342
Fax: 516.623.6010



HERE'S HOW AFLAC NEW YORK CAN HELP:

Many industries-like specialized auto repair and customization-require highly skilled talent that is not easy to find and retain. Great benefits are a top priority for these talented professionals when considering where to work. With Aflac New York, you can provide a wide range of benefits that gives them coverage in the areas they need most, and with a brand they know and want. You can attract and retain new talent by providing the kind of benefits they'd expect from a bigger company, helping your business stand out from the crowd.

THE BEST PART ABOUT AFLAC!

NO DIRECT COST TO YOUR COMPANY

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OFFERS A WIDE RANGE OF POLICIES

Aflac New York offers a wide range of policies that can help cover health events from accidents to hospitalization. You choose the ones that are best for you, your employees, and your business.

POTENTIAL TAX SAVINGS

Aflac New York's tax-advantaged plan allows employees to use pre-tax dollars to pay for certain benefit costs, through a Section 125 cafeteria Plan. This plan may also reduce your FICA taxes, helping you counterbalance the challenges you face in today's economic environment.

ATTRACTIVE TO YOUR EMPLOYEES

Aflac New York insurance complements your major medical insurance to help you create a more attractive employee benefits package. Our wide range of policies is designed to provide cash benefits to your employees if they become injured or sick. With Aflac New York policies, there are no deductibles, copayments, doctor networks, or pre-authorization requirements.

Join the 16,500 companies* that Already include Aflac New York as an essential part of their benefits package. Find out more:

Walter Bonilla 1.631.926.0342 walter_bonilla@us.aflac.com

American Family Life Assurance Company of New York (Aflac New York)



The NAPA Major Account Program

*** **FREE MONEY GIVEAWAY** ***



Want to put more money in your pocket
and do nothing more than you do now?



You already buy parts and supplies for your business so why not buy from NAPA and earn 2% rebate!

The Association and NAPA developed a complete, competitive supply program designed to boost your backroom profits and meet your customer needs. Here's what it includes:

BENEFITS TO ASSOCIATION RETAILER

<u>Quality</u> Products that meet or exceed OEM specifications	<u>Consistent</u> Nationwide Parts Warranty
<u>Customized</u> Pricing -Reduced Parts Costs	<u>Availability</u> -Up to 342,000 Part Numbers
<u>Improved</u> Inventory Turnover	<u>Broader</u> Inventory Coverage
<u>Less</u> Downtime -Higher Gross Profitability	<u>Obsolescence</u> Protection
<u>Increased</u> Field Contacts -700 Factory Representatives	<u>Tailored</u> Local Inventories
<u>Consistent</u> Manufacturers Throughout Our System	<u>Recognized</u> Consumer Brand
<u>More</u> Effective Shop Inventory -Reduced Investment and Higher Productivity	
<u>Prolink</u> Internet based catalog, 24/7 parts availability and pricing	

PROFIT PLAN

Very competitive pricing on NAPA Premium and Value Line products
Special quarterly stocking incentives
Quarterly product discounts to enhance competitive pricing during key selling seasons
Discount on electronically ordered parts from participating stores
Prompt payment discount terms (2% 10, Net 20)

A BRIEF LOOK AT NAPA

Since 1925, NAPA (**National Automotive Parts Association**) has helped businesses expand their parts coverage and maximize turnover and ROI. They offer an unparalleled package for people, products and programs to increase your productivity:

More than 5,800 **NAPA AUTO PARTS** Stores Nationwide

- Strategically located Distribution Centers servicing all 50 states
- Computerized inventory control linked to your station
- Highly trained Factory Reps.
- Training for you and your employees

(O V E R)

Now...what do you have to do to participate in the NAPA Program? It's easy. You just have to:

- Register in **NAPA** Major Account Program with the Association
- Stock a minimum of four product lines
- Designate **NAPA** as first call supplier, and
- Purchase a minimum of \$7,500 per quarter (Average \$2,500 per month)

It couldn't be easier so why not join today. **No risk**....if you don't meet the quota you just don't receive the rebate, nothing lost....but additional profit could be gained!

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