GRANY

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Attorneys Corner
Used Car Consumer Bill of Rights
By Larry Culley

In New York City, if you sell used cars, there is a Consumer Bill of Rights put forth by the N.Y.C. Department of Consumer Affairs. By law, used car dealers must post this Used Car Consumer Bill of Rights and also give the customer a copy before they sign a sales contract. The Consumer Bill of Rights must also be provided to the customer in the language in which you negotiated the contract with them if a translated version is available on the website of the Department of Consumer Affairs (DCA) at nyc.gov/dca. Following is a list of the consumer's rights, which are gone into in more detail on the DCA website:

1. You have a right to buy the car at the price advertised.
2. You have the right to know the details of your financing agreement before you sign anything.
3. You have the right to decline financing or a loan arranged by a used car dealer.
4. You have the right to written disclosures about important terms of your financing contract.
5. You have the right to the Federal Trade Commission (FTC) Buyer's Guide for any used car and, where applicable, a written New York State Lemon Law warranty.
6. You have the right to refuse add-ons.
7. You have the right to get the price of each add-on in writing.
8. You have the right to be offered a cancellation option.
9. You have the right to be free from discrimination when you apply for credit.
10. You have the right to file a complaint.

N.Y.C. used car dealers really need to take the time to read and understand the Consumer Bill of Rights and to give the customers what they are entitled to under this law. If you fail to do and a consume complaint is filed with the DCA, a whole can of worms is opened. DCA inspectors will visit your shop and, while there, they will investigate every other area in which you are required to be legally compliant. If you are NOT compliant with all areas of N.Y.C. consumer laws such as sick leave, family leave, overtime, etc., they will issue violations which could easily amount to five figures or more and may also result in suspension or loss of licenses. DO NOT TAKE THIS RISK for the sake of making a few extra bucks! It's just not worth it. If you have any brains, then a word to the wise is sufficient! You have been warned.

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*
2	*Terminating an Employee for Talking to the Press*
2	*U.S. Senators Introduce Tobacco 21 Bill*
2	*Democratic Congressional Reps Want Gas Tax Hike*
2-3	*$15 Minimum Wage to Be Major Issue in 2020 Elections*
3	*National 7-Eleven Franchisee Coalition Calls for Federal Oversight of Franchising Model*
3	*Letter to DMV*
3-4	*Memorandum in Opposition*
4	*Court Finds for Insurance Company in Tire Explosion Injury Case*
4-5	*DOT Seeks Feedback on Driverless Vehicles*
5-6	*What Kind Of Content Does My Auto Website Need To Include?*
6	*FDA Settles on 'Best if Used by' Label*
6	*Monster May Offer Alcoholic and Cannabis Drinks*
7	*FDA Guidelines for E-Cig Approvals Continue Efforts to Cut Teen Use*
7	*Juul Mulls Opening Its Own Stores*
7-8	*Altria Makes Acquisition in Oral Nicotine Products Category*
8	*Beverly Hills City Council Approves First-of-Its-Kind Local Tobacco Legislation*
8-9	*Federal Judge to DOJ: Wire Act Only Applies to Sports Betting*
9	*DMV Record Retrieval*
9	*MVAC Training*
9	*Sexual Harassment Compliance Date -- 10/09/18*
9	*And More*

Terminating an Employee for Talking to the Press

The National Labor Relations Board (NLRB) has held that a policy prohibiting employees from speaking to the media at any time violates the National Labor Relations Act (NLRA). The NLRB explained: "Employees have a statutory right to speak publicly about their complaints or concerns with their terms and conditions of employment, including to the press, without employer authorization."

In other words, employees have a right under the N:RA generally to discuss their employment – including with the press. Based on the finding that the policy was unlawful, the NLRB also found that the company violated the NLRA when it terminated two employees pursuant to the policy for speaking to the media about a workplace issue. A more narrowly tailored policy would have passed muster, but the broad media prohibition in this case crossed the line.

U.S. Senators Introduce Tobacco 21 Bill

Senate Majority Leader Mitch McConnell (R-KY) and Sen. Tim Kaine (D-VA) on Monday joined together on a bill that would put the federal minimum tobacco buying age at 21, the Washington Post reports. The proposal comes as more states are mandating a 21 minimum age for tobacco and vaping products.

"Today, we are coming together to side with young people's health," said Kaine. "With this bipartisan legislation, Sen. McConnell and I are working to address one of the most significant public health issues facing our nation today."

Last month, McConnell announced his intention of introducing the bill as part of his campaign to reduce e-cig use among teens. "We've heard from countless parents who have seen the youth vaping crisis firsthand," he said. "Together, Sen. Kaine and I are addressing this public health crisis head-on. By making it more difficult for tobacco products to end up in the hands of middle school and high school students, we can protect our children and give them the opportunity to grow and develop into healthy adults."

With McConnell's support, the Tobacco-Free Youth Act will likely go to the Senate floor for a vote after passing through the Senate Health, Education, Labor and Pensions Committee, where Kaine is a member. Meanwhile, Altria and Juul Labs have both gone on record in favor of a federal minimum tobacco buying age of 21.

Democratic Congressional Reps Want Gas Tax Hike

Democratic Congressional representatives want to see a gasoline tax hike, which would help pay for the $2 trillion infrastructure plan agreed to last month, but yesterday's scheduled meeting between President Trump and leading Democrats to discuss the issue was abruptly ended by Trump, according to the Washington Post.

Trump told House Speaker Nancy Pelosi (D-Calif.) and Senate Minority Leader Charles E. Schumer (D-N.Y.) that he was unable to work with them on legislation following comments by Pelosi on Wednesday that he was "engaged in a coverup." Shortly afterward in an unscheduled appearance in the Rose Garden, Trump said he couldn't work on infrastructure "under these circumstances."

Some Washington insiders don't believe Trump will allow an increase in the gas tax because he is looking ahead to the 2020 election, according to Eenews.net.

"It's my understanding that the White House is not going to agree to a gasoline tax increase," said Grover Norquist, president of Americans for Tax Reform, after attending a meeting with administration officials late last week.

Today's American drivers pay a federal tax of 18.4 cents per gallon of gasoline, which goes into the Highway Trust Fund to help cover road and bridge repairs. The tax has not been raised since 1993, and there is concern about the solvency of the fund.

Democrats see a gas tax hike as a short-term funding solution. But Sen. Schumer is concerned that a gas tax increase would burden the working class. A source close to Schumer has said that the New York lawmaker will not consider a gas tax hike unless Trump rolls back part of the 2017 tax cuts for wealthy Americans and corporations. Washington insiders say the president will keep taxes low in preparation for his reelection campaign.

$15 Minimum Wage to Be Major Issue in 2020 Elections

The entire 2020 Democratic presidential field has publicly touted the need to double the federal minimum wage to $15 an hour. According to APNews, support for the proposal reflects the success of the Service Employees International Union, which has promoted the idea through a campaign called "Fight for 15," which aims to get higher wages for foodservice and other workers.

Officially, the federal minimum wage remains $7.25 an hour. But the National Employment Law Project reports that one-third of the country will have a $15 minimum wage, the result of gradual wage increases in Democratic states, such as New York and California.

Fight for 15 has demonstrated a different form of labor organizing as traditional union membership has declined.

"The labor movement is reinventing themselves as a new civil rights movement by helping workers in ways beyond collective bargaining," said Gary Chaison, an industrial relations professor at Clark University in Massachusetts. "This may be the last national political contest for the unions. A loss means the loss of relevancy as a workplace voice, and a win means a new purpose for the unions, outside of collection bargaining."

Unions still need dues-paying members to survive, and the movement is redoubling its efforts to pressure McDonald's into allowing employees to unionize. Several Democratic presidential hopefuls, including New Jersey Sen. Cory Booker and Washington Gov. Jay Inslee, are expected to join workers on picket lines this week. McDonald's workers are expected to picket outside the company's board meeting in Dallas today. McDonald's has said that allowing

unions is a decision for the franchisees who own the restaurants, not for the corporation.

National 7-Eleven Franchisee Coalition Calls for Federal Oversight of Franchising Model

The members of the National Coalition of Associations of 7-Eleven Franchisees (NCASEF) are turning to Congress in its bid to get better protection for their franchise investment.

The coalition said its members urged federal lawmakers to strengthen federal oversight of franchising to ensure independent operators of franchised businesses like convenience stores and quick-service restaurants are not subjected to contractual terms that are inherently unfair, unconscionable or potentially predatory.

"Our message to members of Congress is that the playing field is slanted in favor of franchisors because of the heavily one-sided way franchise agreements are written. These franchise agreements reflect the overwhelming imbalance of contractual and financial power wielded by franchisors," said NCASEF Chairman Jay Singh.

"We believe that the Federal Trade Commission's Franchise Rule needs to be strengthened in order to better protect the interests of men and women who invest in buying a franchised business," he added.

Singh joined members of NCASEF's executive board and franchise owner association leaders from across the United States in Washington, D.C., to bring their message to Capitol Hill.

NCASEF is an elected, independent trade association representing more than 7,000 7-Eleven franchise owners in the U.S. Its leadership met with senior staff members of the House Education and Labor Committee and with their home-state congressional delegations. They detailed ways 7-Eleven Inc. (SEI) treats its franchisees as employees instead of owners, and asked lawmakers to examine whether the agreements franchisees sign with SEI more closely represent an employment contract than a franchise agreement, according to NCASEF.

The coalition's members also raised concerns of franchisees in Japan, where a shortage of service labor has created friction over keeping stores open 24 hours day, seven days a week because franchisees are being pressed to work more than 100 hours a week, or close overnight and violate their franchise agreement.

Many are concerned the U.S. labor shortage could lead to a similar situation here, the group added.

Franchisees also produced a report from Australia's Parliamentary Joint Committee on Corporations and Financial Services, which detailed alleged instances of franchisor abuse in that country by 7-Eleven and other major brands.

"We have many times reached out to our franchisor in an effort to establish a good faith dialogue based on mutual respect and transparency, but, unfortunately, we have not seen a positive response," Singh said.

NCASEF holding its May board meetings in Washington, D.C., so it can provide updates to lawmakers, added NCASEF Vice Chairman Michael Jorgensen.

"We believe we can make real progress to better balance the franchise relationship when we go in and explain to members of Congress and their staffers how our business works. It is important for them to understand we are the ones who invest in local communities, provide jobs and pay local taxes, not the brands themselves," Jorgensen said. But EIA took a pass on measuring the impact, saying only that the "timing and magnitude of the effects resulting from IMO 2020 are highly uncertain."

Letter to DMV

Dear Commissioner

Attached in a memorandum of opposition to bill A154-S2961 which is active in the legislation in this session. If the bill is signed into law it will require DMV establish regulations that will require tire repair businesses to repair tire only if the will require the tire to be repaired to the inspection law. There are no regulations at this time

We maintain that it will be impossible to establish regulations for tire repairs. Each repair is different, each tire to be repaid are different sizes shapes, made of different material and the number of tire that will require a different repair that another are in the thousands. DMV will not be able to create regulations that will address punctures in all these and sometimes unique tires. Repair shop will not be able to identify what is a repair that will be with any regulation DMV creates. This will lead to violation issued to shops that repair tires.

Another problem, is that there are number of repair shops that do repair tire cannot be regulated by DMV because there are thousands of repair shops that do not need a DMV repair shop licences because they do no fall under the definition of a repair shop because they do not preform the type of repair that requires a license

Due to the above and memo attached we request that DMV oppose this bill.

Yours truly
Ralph Bombardiere
Executive Director

Memorandum in Opposition

BILL NUMBER: A154-S2961

SPONSOR: Assemblyman D'Urso – Senator Kaplan

The subject bill would prohibit motor vehicle repair shops from repairing any tire which would fail to meet the department of motor vehicle inspection standards for a tire after the completion of repair.

Although well intentioned, this is bill engenders a number of practical problems in its application. There are 20,000 registered repair shops and 10,000 are inspection stations. Half of the repair shops are not familiar with the inspection requirements. If an inspection station fails a vehicle, it does not provide an inspection sticker indicating

compliance with the inspection's standards. The vehicle owner is not prevented from driving off to seek to fix or repair the deficiency. This bill however would require a vehicle owner to be towed to a location and to purchase a new tire prior to returning the vehicle to the road without the ability to have the tire repaired at the location of the flat tire. The owner is at the mercy of the towing company and their determination as to whether to repair the tire. This involves the application of subjective criteria in some cases as to whether the tire would pass inspection standards. Currently if a repair is available, the vehicle owner is advised that it is of limited duration and requires a new tire. The vehicle owner has the flexibility to purchase a tire from different providers rather than being limited by the towing company and the cost incurred in transporting the car to purchase a tire.

There is no evidence provided that the current system of repair has resulted in tire failures resulting in vehicle crashes. There is also no evidence that improper tire repairs are currently being made. A repair is in fact similar to a donut tire which is provided which has speed and usage limitations.

This bill also could result in strict liability by a repair shop for making a repair if the vehicle owner subsequently was involved in an accident. The vehicle owner would assert a violation of a statutory requirement. This situation would discourage tire repairs since it would be easier to tow rather than repair the tire because of the potential liability.

This bill clearly benefits tire sales and would discourage legitimate repairs which would save the vehicle owner money.

Based on the foregoing, it is respectfully requested that this bill not receive favorable consideration.

Respectfully submitted:
New York State Association of
Service Station and Repair Shops, Inc.
6 Walker Way
Albany, NY 12205
518 452 4367

Court Finds for Insurance Company in Tire Explosion Injury Case

The Virginia Supreme Court has ruled in favor of an insurance company that said it shouldn't have to cover an incident in which a tire being worked on at a truck stop exploded and allegedly injured a customer.

In its ruling, the court rejected Doswell Truck Stop's contention that the incident should be covered because an exclusion in the insurance policy was ambiguously worded. A lower court had found in favor of the truck stop and had ordered the insurance company to cover the accident and pay $7,000 in attorney fees.

The decision arose from a June 2016 lawsuit filed against the truck stop. James T. Smith claimed in the suit that he had wanted DTS to replace or repair a tire on his tractor trailer. A DTS employee working on the tire invited Smith into the repair area, where the tire was contained within an OSHA-compliant inflation cage. Smith alleged that while he was there, the employee overinflated the tire, causing it to explode and injure him, according to court papers.

When DTS filed an insurance claim, James River Insurance Co. refused to cover it, citing wording in the policy that excluded "bodily injury ... arising out of the ownership, maintenance, use or entrustment to others" of any automobile.

DTS, however, said that in the policy "maintenance" could either mean repairing the vehicle or "a possessory interest other than ownership or use." DTS said the court should adopt the meaning most likely to ensure coverage. It also argued that Smith's suit claimed his injuries were the result of a DTS employee taking him into a dangerous location. This "premises liability" wasn't covered by the exclusion and so James River should pay the claim, the truck stop argued.

In its ruling, the state Supreme Court said that while maintenance might have two meanings, reading the full insurance policy made it clear that only the one meaning repairs could be reasonably applied to every time the word was used.

"The alternative interpretation offered by DTS can only reasonably be applied to approximately half of the instances in which the term is used. Accordingly, the term is not ambiguous," the court wrote.

The court also ruled the basis of Smith's injuries was the tire explosion, so even if an employee let him into a dangerous area "the fact remains that a significant causal connection exists between the maintenance on the tire and Smith's injuries" and so the exclusion applied.

The court also overturned the award of attorney fees, since the lower court had based that ruling on its finding that the insurance company should cover the claim.

--Steve Cronin, scronin@opisnet.com
Copyright, Oil Price Information Service

DOT Seeks Feedback on Driverless Vehicles

The U.S. Department of Transportation has announced that it will work to remove "unnecessary regulatory barriers to the safe introduction of automated driving systems" on vehicles operating in the U.S, according to TruckingInfo.com, and it wants to know what the public thinks about it.

The National Highway Traffic Safety Administration (NHTSA) and the Federal Motor Carrier Safety Administration (FMCSA) are calling for public comment on matters related to rolling out autonomous driving systems "to ensure that all potential approaches are fully considered as the agencies move forward with these regulatory actions."

NHTSA is largely charged with writing and enforcing the Federal Motor Vehicle Safety Standards (FMVSS), which address the crash avoidance, crashworthiness and post-crash survivability capabilities of new cars and trucks. FMCSA, on the other hand, regulates motor carriers with the

goal of reducing crashes, injuries and fatalities involving large trucks and buses.

NHTSA will seek comment on identifying and addressing regulatory barriers to the deployment of ADS-equipped vehicles posed by certain existing FMVSS. The agency also wants to hear from the public on ways to measure compliance with the FMVSS for vehicles that are not equipped with conventional controls.

The FMCSA will solicit public comment on questions related to several regulatory areas to help the agency "better understand how changes to its rules can account for significant differences between human operators and ADS." These questions cover such topics as:

- Requirements of human drivers
- CDL endorsements
- Hours-of-service rules
- Medical qualifications
- Distracted driving
- Safe driving
- Inspection
- Repair
- Maintenance
- Roadside inspections
- Cybersecurity

Both agencies will have a 60-day public comment period, which begins with publication of the advanced notice of proposed rulemakings in the Federal Register.

What Kind Of Content Does My Auto Website Need To Include?

By: Nicole Matthews of Net Driven

There are over 4.57 billion webpages in existence as of September 2017. That's a lot of information representing thousands of industries and interests. It also means there are scores of web-sites competing for clicks and conversions. How do you make your website stand out? What in-formation or content should you include to at-tract visitors to your website and keep them interested in your products and services once they arrive? It's time to talk about content for the automotive service center and/or tire dealer. Know Your Audience

The first step in choosing what content to include is figuring out your audience. Think about your customers and their needs. What are they looking for when they come to your business? What information can you include on your web-site to help your prospective customers enjoy a fast and convenient experience with your business?

Below is an overview of the products Net Driven offers. The available products, known as website modules, were selected and designed based on industry research and requests from Net Driven clients about the type of content their customers want to see.

Tire Catalog

Scenario: Prospective customer is looking for new tires because it's time to replace the entire set or a flat tire. Need: To find a nearby tire store that has tires that fit the vehicle. The potential customer may be looking for a specific tire brand and model and need to know if the tire store carries it. If you're a tire dealer, then a tire catalog is an excellent addition to your website if not a mandatory one. The Net Driven tire catalog is an interactive module that's easy to use with multiple ways to search your inventory and the optional ability to request a quote. Potential customers are given all the tools they need to search through hundreds of tires quickly, creating a more convenient experience with your business.

Net Driven offers a retail tire catalog and commercial tire catalog at this time. Both are available with a Net Driven website or as standalone purchases for use on any website.

Auto Service Catalog

Scenario: Potential customer is looking for an automotive service shop that provides a specific service. Need: To find an automotive service center that provides the necessary service. When prospective customers look for an auto-motive service center online, they have one immediate goal: to find a local shop that provides the service(s) they need. In order to rank for an auto service, you need to include content about it on your website. An automotive service catalog is a sensible solution that provides potential customers with the information they need.

The Net Driven Automotive Service Catalog provides the optional ability to schedule an appointment online, creating a convenient experience that allows customers to interact with your business after closing hours.

Maintenance Look Up

Scenario: Potential customer needs to know if it's time for factory scheduled maintenance Need: To see maintenance information relevant to the vehicle make and model driven For the automotive service center, the Maintenance Look Up module is a great way to attract business and satisfy customer curiosity. When visitors arrive on your website to schedule a re-pair or learn more about a product, they can also check out when they're due for maintenance.

Thanks to this module, your customers don't need to go to the garage and grab the owner's manual to find out when factory maintenance is due. While they're on your website, they'll get information specific to their vehicle make and model with the optional ability to schedule the appropriate maintenance service with you online.

Diagnostic Center

Scenario: Potential customer is experiencing an automotive problem but isn't sure of the cause Need: To find out what's wrong with the car as soon as possible

When the "check engine" light turns on or a motorist experiences a sudden car problem, the logical first question is "what's wrong?" If the driver doesn't have a clue, then there's a chance they'll hold off on service for fear of a high expense. The Online Diagnostic Center answers "what's wrong" by guiding the potential customer through a series of questions about what the vehicle is doing. Based on the answers provided, the module returns likely problem causes and associated repair services.

This module can alleviate fears and give your service center valuable information so the problem becomes quicker to fix. You may earn some rapport with the customer for being the source of their information.

Virtual Showroom

Scenario: Potential customer needs a new or pre-owned vehicle

Need: To find a local dealer with a good selection of vehicles

For the new and used car dealer, a virtual show-room is an almost essential part of the website. Your customers want to know what types of vehicles you have for sale. Giving them the ability to browse online and see real photos of your inventory keeps them engaged. It also helps weed out anyone who wouldn't have been interested in the vehicles you sell, so your sales team focuses on better leads. The Net Driven Virtual Show-room displays important information about your inventory and lets potential customers browse through photos online.

Contact Information:

Last but not least, don't forget your contact information. At a minimum, you need to tell your potential customers about your address (or service area) and hours of opera-tion. Visitors to your website don't want to guess if you're open or call to find out this information. Having your name, address, and phone number (NAP) listed on your website also helps online directories list your contact information right.

Wait - Should I Include Prices on my Website?

Potential customers are interested in pricing, but that doesn't always mean it's the best idea to include prices on your website. If you're not al-ways the lowest price in town, this gives your competitors a chance to underprice you and advertise it on their own websites. A good compromise is to set up online quoting, where a customer can automatically get an email showing the price in return for providing you with an email address.

This satisfies the customer and makes any competitor have to work to see what your prices are for every product or service.

To recap, you need to provide content valuable to your audience. Think about your customers and why they come to you. Advertise the products and services you provide, so your customers know you offer them. People want to know who you are, what your offer, and when you're open.

FDA Settles on 'Best if Used by' Label

The U.S. Food and Drug Administration has rendered its decision on food expiration date labels on shelf-stable, packaged foods after a two-year effort by industry officials and advocacy groups. The agency favors a single designation to guide consumers: "Best if used by," the Washington Post reports.

Food product makers use a confusing array of more than 50 descriptions on grocery items: "use before," "sell by," "expires on." The inconsistent labeling leaves consumers unsure if the food is safe to eat and/or tastes better before the label date and contributes to overall food waste.

The new labeling guidance applies to food quality, not food safety. The FDA opinion is not binding on industry: Food producers still have the autonomy to put date labels on their products as they choose.

The U.S. Department of Agriculture has similar recommendations for the voluntary date labels on perishable products, such as meat, poultry and eggs.

"We worked with consumers about which label conveys the information best, and consumers overwhelmingly chose 'best if used by,'" said Frank Yiannas, the FDA's deputy commissioner for food policy and response. "If there's a date label that's about a food-safety issue, at this point they have the latitude to put whatever terminology they need to convey that risk."

The FDA endorsement can help American families save money and reduce food waste. In fact, 42% of waste occurs in consumers' homes, according to the Natural Resources Defense Council and Wasted. The U.S. Department of Agriculture puts the total price tag on the estimated 133 billion pounds of wasted food at $161 billion.

Monster May Offer Alcoholic and Cannabis Drinks

Monster wants to energize its beverage offering and is considering both alcoholic drinks and cannabis-infused drinks, reports Fooddive.com.

This news is no surprise given the challenges Monster has faced recently, and diversifying is a forward-thinking step. Many big names are getting into the increasingly competitive energy drink market, and sales could total $16.9 by 2022, according to Market Research Hub.

Last year, total sales were close to $11 billion, an increase of 7.5% over 2017. The energy drink category keeps growing, with Amazon introducing a private-label beverage and Keurig Dr Pepper's partnering with serial beverage entrepreneur Lance Collins on an energy drink called Adrenaline Shoc.

Monster said it is open to exploring cannabis-infused drinks if they become federally legal in the U.S. This is similar to what other major brands, such as Mondelez, have said. The FDA's first public hearing on regulation of CBD occurred two weeks ago, but analysts believe actual rules are still years away.

Monster may also consider introducing a drink like Four Loko, which combines caffeine and alcohol. That would allow Monster to jump into a new category while maintaining the function for which it is known. However, alcoholic energy drinks haven't had the best track record. Four Loko ran into trouble after dozens of college students nationwide were hospitalized after drinking the beverage and quickly becoming both intoxicated and wired.

Monster's strategy of leaning on innovation to boost its sales seems to be working so far. The company recently introduced Reign, a new energy drink that is expected to appeal more to the health-oriented consumer.

FDA Guidelines for E-Cig Approvals Continue Efforts to Cut Teen Use

The U.S. Food and Drug Administration on Tuesday moved forward in its efforts to step up regulation of e-cigarettes, releasing approval guidelines that discourage products that appeal to young users.

The move comes three months after the agency released proposed rules to crack down on retailers who sell e-cigarettes and vape products.

In the announcement, Acting FDA Commissioner Ned Sharpless noted that there are currently no FDA-approved e-cigarettes on the market and warned the agency would continue its efforts to discourage the use of devices by teens and children.

Under the guidelines, the FDA said it is required to consider a product's risk to users and non-users, and whether or not e-cigarettes help consumers give up other tobacco products and the likelihood they will encourage non-tobacco users to start using the product, noting "this is especially important for youth."

The review will also include a product's "components, ingredients, additives, constituents and health risks, as well as how the product is manufactured, packaged and labeled," the FDA said. Critics of e-cigarettes, including former FDA Commissioner Scott Gottlieb, had blasted producers for offering sweet vape flavors that appealed to the young consumers.

The FDA guidelines also include recommendations for how applicants "should address public health issues in the design and manufacture of their products, such as accidental nicotine exposure and battery safety." Some e-cigarettes designs look more like computer memory sticks, making it easy for young users to hide their devices, critics have said.

In its announcement, the agency also said it will continue "to explore clear and meaningful measures to make tobacco products less toxic, appealing and addictive with an intense focus on youth."

These steps could include measures on flavors/designs that appeal to youth and product labeling to prevent accidental child exposure to liquid nicotine, the announcement said.

Before he left office, Gottlieb warned that e-cigarette use was hitting epidemic proportions among young people, with 3.6 million middle- and high-school students across the country using e-cigarettes, compared to 1.5 million the previous year.

At the time, Gottlieb said he was trying to restrict access to the young while still allowing "for the promise of an off-ramp for adult smokers through access to potentially less harmful forms of nicotine delivery."

Juul Mulls Opening Its Own Stores

Juul Labs Inc. is reportedly weighing plans to open its own branded retail stores in the United States and is scouting locations in Dallas and Houston, the Wall Street Journal reports.

The stores would only allow adults 21 and older to enter, and the e-cigarette lineup would be limited to tobacco, mint and menthol flavors, the Journal reported, citing a person familiar with the matter.

Juul sells its e-cigarettes online and through more than 100,000 stores across the U.S., including convenience retailers and vaping shops, the Journal reported. The company also is expected to open a retail store in South Korea and is exploring other overseas locations. In addition, Juul reportedly has been working on an e-cigarette vending machine.

Juul has been under scrutiny by regulators and public health officials amid a surge in youth use of the company's vaping devices, which have been popular with teens. Last year, Juul voluntarily stopped selling its mango, fruit, creme and cucumber flavored pods in retail stores but still sells all of its flavors on its website. The company supports legislative efforts to raise the minimum tobacco purchase age to 21.

Last year, more than 3.6 million U.S. middle and high school students said they had used e-cigarettes in the past 30 days, including nearly 5% of middle school students and nearly 21% of high school students, according to a survey by the Centers for Disease Control and Prevention.

Altria Makes Acquisition in Oral Nicotine Products Category

Altria Group Inc. is entering the oral nicotine category with a definitive agreement to acquire 80 percent of certain companies of Burger Söhne Holding AG that will commercialize on! products worldwide.

On! is an oral tobacco-derived nicotine (TDN) pouch product.

"We're excited to add on! to our companies' terrific non-combustible portfolio," said Howard Willard, Altria's chairman and CEO. "Through our companies and investments, we have access to the leading products and brands in the moist smokeless tobacco, e-vapor and heated tobacco categories. This acquisition will add another non-combustible product to our portfolio in what we believe is a high-potential, rapidly developing oral TDN products category."

Upon closing, Altria will invest $372 million for an 80-percent ownership interest in the global business. The tobacco company expects to complete the transaction in the second half of 2019, subject to customary closing conditions, and to finance the transaction with available cash.

The on! portfolio consists of seven flavors and five nicotine strengths for a total of 35 SKUs, all of which were available for sale in the U.S. market as of Aug. 8. The product is currently available in limited distribution in several thousand U.S. retail outlets, is available in Sweden and Japan and is also sold via e-commerce.

Upon closing of the deal, Altria's newly formed subsidiary, Helix Innovations LLC, will become the parent

company of Burger Group subsidiaries currently manufacturing and selling on!.

Altria and Switzerland-based Burger Group also reached a deal for Altria to distribute on! across the United States before the transaction closes, "which we expect will allow Altria to quickly expand retail distribution," the Richmond-based tobacco leader said.

Citing IRI data, Altria noted sales of TDN products grew to around $60 million in the U.S. in 2018, demonstrating approximately 250-percent growth compared to 2017. Approximately 20 million adult smokers in the U.S. are interested in tobacco products that offer reduced-harm potential and, specifically, more than 6 million adult tobacco consumers are open to trying oral TDN products, it added.

"We're excited to put our resources behind on! and participate in what we expect to be a fast-growing category. Combining our deep understanding of adult tobacco consumers and Altria's best-in-class sales and distribution infrastructure, we expect to drive the on! brand toward sustainable, long-term leadership," said Allison Bolyard, senior director and general manager of Helix.

AN ANALYST'S TAKE

Bonnie Herzog, managing director of tobacco, beverage and convenience store research at Wells Fargo Securities LLC, applauded Altria's decision to enter the TDN space. According to Herzog, the transaction will provide the company an immediate "answer" to Swedish Match's Zyn, a tobacco-free nicotine pouch.

"We believe this is a competitive advantage," she said. "Importantly, the deal eliminates the need for Altria to go through a lengthy and expensive [Premarket Tobacco Application] process since on! has been in the U.S. market since Aug. 8, 2016.

We like the deal which showcases Altria's desire to win and willingness to be more aggressive/pivot fast to accomplish," Herzog added.

One of Wells Fargo Securities' retail contacts told Herzog that on! has done well in about 20 out of 54 stores. "However, they've had poor coverage of reps in the state and poor roll out on expansion of stores with us; hopefully this may be a 'major' benefit," the retailer said.

In addition, according to Herzog, most retailers are upbeat about the category and expect to allocate more shelf space.

"I think the opportunity is great and I believe you will gain new customers with these products," one retailer contact to the analyst.

One other retailer believes on! "could be a good complement to Juul," Herzog added.

Altria's wholly owned subsidiaries include Philip Morris USA Inc., U.S. Smokeless Tobacco Co. LLC, John Middleton Co., Sherman Group Holdings LLC and its subsidiaries, Ste. Michelle Wine Estates Ltd. and Philip Morris Capital Corp.

Altria holds equity investments in Anheuser-Busch InBev SA/NV, Juul Labs Inc. and Cronos Group Inc.

The brand portfolios of its tobacco operating companies include Marlboro, Black & Mild, Copenhagen and Skoal.

Beverly Hills City Council Approves First-of-Its-Kind Local Tobacco Legislation

Adult tobacco consumers only have about 18 months to buy tobacco products in Beverly Hills.

On June 4, the Beverly Hills City Council unanimously approved an ordinance banning the sale of all tobacco products within the city limits. The measure, which includes convenience stores, gas stations, pharmacies and newsstands, goes into effect on Jan. 1, 2021.

Key provisions in the ordinance include:

- A permanent exemption/carve out for existing cigar lounges; Effective Jan. 1, 2021,
- hotels — existing and future — may only sell to guests; and
- A hardship exemption provision for retailers that demonstrate the ban would cause undue hardship.

The city council will review the measure's impact on tourism in three years, according to the city's website.

With the vote, Beverly Hills became the first city in the United States to prohibit the sale of cigarettes, cigars, pipe tobacco, chewing tobacco and electronic cigarettes. However, it may not be the last.

According to CNBC, Beverly Hills Mayor John Mirisch said at the Tuesday meeting that Manhattan Beach is looking at adopting its own ban on the sale of tobacco products.

Federal Judge to DOJ: Wire Act Only Applies to Sports Betting

On Monday, Federal District Court Judge for the District of New Hampshire, Paul Barbadoro, rejected the Justice Department’s abandonment last year of a legal opinion that had paved the way for the growth of online gambling.

Under the Obama administration, the Department of Justice (DOJ) opined on whether in-state sales of lottery tickets over the internet would violate a federal law called the Wire Act, determining in 2011 that the law prohibited online sports gambling but not other forms of internet-based wagering, such as lotteries. But in late 2018, the Trump administration Justice Department reversed that opinion, finding that Wire Act broadly prohibited online betting.

Barbadoro, granting the New Hampshire Lottery Commission’s request for summary judgment, said the Justice Department’s new legal opinion rested on a faulty reading of the Wire Act. “Based on the text, context, and structure of the Wire Act,” he said it was clear that the law is “limited to sports gambling.”

“The 2018 OLC opinion,” he added, “is set aside.”

The opinion was issued in a case brought by the New Hampshire Lottery and its Internet gambling provider NeoPollard seeking to invalidate the 2018 DOJ opinion so as to pave the way for the Lottery to offer internet gambling on lottery and casino games.

In finding for the Lottery and NeoPollard, the judge limited the ruling’s scope by refusing to issue a nationwide injunction against application of the 2018 opinion. At this point, Barbadoro’s ruling applies only to New Hampshire

and to the activities of the New Hampshire Lottery and NeoPollard. The judge has yet to rule on a petition filed by the Coalition to Stop Internet Gambling to intervene in the case, although that ruling is anticipated shortly.

The DOJ is expected to appeal the judge's decision. Recognizing the limited reach of the judge's opinion and the likelihood of an appeal, it is expected this case (and the issue of internet gambling) could take months working its way through the judicial system.

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 518-452-4367

MVAC Training

Any person who repairs or services a motor vehicle air conditioning (MVAC) system for consideration (payment or bartering) must be properly trained and certified under section 609 of the Clean Air Act by an EPA-approved program. All technicians servicing MVAC-like appliances must be certified.

This means that in order to purchase refrigerant, you must be certified for EPA section 609. To get that training, go to nyssasrs-training.com and follow the links.

This restriction does not apply to do-it yourselfers.

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 Complaince 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.

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 that 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 TWO YEARS 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

FOR SALE
REPAIR SHOP
ALBANY AREA

4 lifts –	Benwil TP7	7000 lb	
	Benwil GP7	7000 lb	
	Benwil TP7	7000 lb	with alignment rack
	Challanger3900	9000 lb	

Snap-On EEW B304D balancer plus older Hunter DSP 9500
Snap-On EEWH 311A tire changer plus older Gorgi A-200

Ingersol T-30 10 hp air compressor

Nearly new Clean Energy CE250 waste oil furnace with
500 gallon & 250 gallon tank

Hydraulic press
Engine hoist
Torches, Grinders, Benches, Floor Jack

Office set-up, Counters, Parts Department Shelving
Canon PC 940 Copier

ALSO

Customer files consisting of
650 very loyal long term customers
And
750 newer customers.

FOR MORE INFO

CALL 518-452-4367

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New York State Association of Service Stations & Repair Shops

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NYS Worker's Compensation Program Highlights

- Up to a 25% upfront discount offered
- Over 30% Average Annual Dividend (27 Years)
- Save up to 60% off your current premium*
- Last year's dividend was 35% ($3,061,456)
- 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

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KINGSTON, NY

4000 square feet
(4) 10x10 overhead doors
(2) stand-up lifts
(1) post lift
Hunter Hawkeye Elite 4 wheel alignment machine
Tire machine and balancer
Engine lift and presses
Waste oil furnace and Radiant heat facility

Many Fleet Maintenance and Repair Contracts
Large Local Customer Base

Current Business
Being Sold For Turnkey Operation

FOR MORE INFO
CALL DAVE
845-401-8645

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.

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

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:			
		Property & Casualty	
		Workers Comp	
		Disability	
		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

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417 Troy-Schenectady Road

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- *Quarterly Payroll & Sales Tax Reports*
- *Year End Reports & Tax Returns*

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(518) 783-8492

GRANY

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 (518) 452-4367. 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.

CIGARETTE SALES TO MINORS
CLERK CERTIFICATION

COMPLIANCE .WITH THE NEW STATE CERTIFICATION OF CLERKS WHO SELL TOBACCO PRODUCTS

CERTIFICATION OF A CLERK WHO SELLS TOBACCO PRODUCTS
POINT REDUCTION CLASS

NEW YORK STATE AMENDED ITS POLICY OF ENFORCEMENT FOR RETAILERS WHO SELL TOBACCO. UNDER THE NEW LAW A POINT SYSTEM HAS BEEN ESTABLISHED. EACH VIOLATION OF A TOBACCO SALE TO A MINOR WILL GENERATE A FINE AND TWO POINTS. THREE POINTS AND THE RETAILER'S LICENSE TO SELL CIGARETTES WILL BE SUSPENDED. HOWEVER, IF THE CLERK HAS RECEIVED A CERTIFICATION BY TAKING AN APPROVED SEMINAR, THE VIOLATION WILL RECEIVE ONE POINT.

THE STATE IS ENFORCING THIS LAW

IN ORDER TO ACCOMMODATE OUR MEMBERS,
WE ARE CERTIFIED TO PROVIDE THIS TRAINING.
PLEASE NOTE DATES, TIME, AND LOCATI0N OF THE NEXT SEMINAR

WHERE:

ASSOCIATION OFFICE
6 Walker Way
Albany, New York 12205

WHEN:

The First Tuesday of every month at 2:00 PM
The Third Wednesday of every month at 10:00 AM

COST:

MEMBERS: $15.00 - NON-MEMBERS $30.00

PLEASE CALL FOR RESERVATIONS AT (518) 452-4367

SPONSORED BY: GRANY

NEW YORK STATE OF OPPORTUNITY. | Department of Motor Vehicles

APPLICATION FOR CERTIFICATION AS A MOTOR VEHICLE INSPECTOR

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 ☐ 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 ☐ Female ☐

8 **MAILING ADDRESS** (Include Street No., Rural Delivery and/or Box No.)

9 HEIGHT Feet Inches

10 EYE COLOR

11 STREET NAME **APT. NO.**

12 HOME TELEPHONE (Include Area Code) ( )

13 CITY OR TOWN STATE ZIP CODE

14 COUNTY

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

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.

☐ Check this box if you do not currently have a New York State driver license or non-driver ID. A form (ID-5 VSCI) will be mailed to you with instructions on how to obtain a Client ID number.

PLEASE CONTINUE, AND SIGN ON PAGE 2.

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.

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 *(be specific)*

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.

reset/clear