

ATTORNEY'S CORNER

By Larry Culley

I'm repeating this month a column I wrote several months ago, because it's always timely and because many of you guys keep getting it wrong. Here's hoping it will stick this time because it's not sticking yet the way it should. Help yourself save thousands of dollars in fines!

A great deal of trouble can be avoided if repair shops ensure that their repair invoices are in conformance with the DMV Commissioner's regulations. Once you make sure that this is the case by ordering an invoice form fully in compliance with the Regulations, it's a simple matter to keep using the same invoice form and habitually filling it out with the information relevant to each customer. It's well worth the effort to get into this habit.

First, every invoice or work order should have on it clearly and legibly the following: the name of the business and the official DMV license registration number. This is a MUST, and I've seen several instances in the past few years where the shop did not have a registration number printed on its form. This could be considered a 'fraudulent and deceptive practice'.

Next, of course, you will need to enter the customer's name, address, invoice date, vehicle information (car model, make, year, & plate and/or VIN number) and the date the vehicle was presented for service before you start the diagnostic. Be sure to enter the mileage in and, at the end of the job, the mileage out. You must also provide a list of all parts used in the repair as well as the status of the parts, that is, original quality, rebuilt or used. Also the cost of each part and the labor performed, plus a promised date of delivery if any was given.

As to authorization for the work to be performed, have the customer initial his or her consent or, if consent is taken over the phone, note the name of the person you spoke with, their phone number, and the date and time during which you spoke with them. Be sure to note a brief description of the customer's description of the problem on the invoice. Also be very sure to have the customer sign the invoice when the vehicle is picked up after the repairs are performed. With the customer's initials or notation for authorization, and finishing with the signature at pick-up, the customer will never be able to say he or she did not authorize the work. As experienced repair shops know, this is a crucial protection for you in filling out the invoice properly.

If the inflatable restraint system is replaced, the invoice shall state the name and tax ID number from whom it was purchased --- If such system is a salvage unit the invoice the invoice must also state the dismantler's registration number, the VIN from the vehicle the unit came from as well as the part number from the vehicle restraint system and must indicate 'salvage inflatable restraint system' and a copy of purchase invoice must be provided to insurer and customer for the replacement inflatable restraint system --- a repair which has a warranty must follow these guide lines as well --- if parts are used the invoice must indicate status (new oem, aftermarket equipment manufacturer, used part) unless otherwise indicated.

The foregoing cautions are among the most significant found in Section 82.5 of the Commissions Repair Shop Regulations. See the whole text of this section for everything that affects the obligations of the repair shop to the customer. In addition, to get pre-printed or computerized forms for legally complete invoices just contact your Associations and they will be happy to tell you whom to contact. Remember, even if you do the repair work 100% correctly you may still be subject to a fine of several hundred dollars or more, and possible suspension or revocation of your license, if you fail to properly fill out your invoice form. Why prevail on the merits and still lose on a technicality? Protect your self and get in the 'happy habit' of properly filling out your invoice!

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

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Card Companies to Raise Credit and Debit Card Fees

Purchases with credit cards will cost more for both merchants and consumers when Visa and Mastercard boost certain debit- and credit-card fees starting in April, the Wall Street Journal reports.

The two biggest U.S. card networks announced that they're hiking a range of fees that U.S. merchants pay to process transactions. Merchants paid an estimated \$64 billion in Visa and Mastercard interchange fees last year, according to the Nilson Report, a payment industry publication. The 2018 payment figure is up 12% from a year earlier and up 77% from 2012.

The increased fees that Visa will put in place during the first four months of the year are estimated to cost U.S. merchants at least an additional \$570 million through April 2020, according to estimates by CMSI, a merchants-payments consulting firm.

Some of the increases relate to "interchange fees," which merchants pay to banks that issue the cards. Others are fees that card networks charge financial institutions for processing card payments on behalf of merchants.

Currently, 1% to 2.5% of the price for goods and services go to cover card fees. To protect their own profits, merchants might increase the prices consumers pay following such fee increases.

"Visa's network fees are paid by our financial institution clients and used to enhance the safety, efficiency and innovation of our platform, and are set based on market conditions and to reflect the value we deliver," a Visa spokesperson said, adding that Visa hasn't increased fees in at least three years.

In some cases, returned merchandise purchased using Mastercard debit cards will become more expensive for stores, because in some transactions, merchants won't be reimbursed for the interchange fee paid on the initial transaction.

Debit- and credit-card fees have been a long-running point of contention as shoppers move away from cash to cards. Merchants say card-company charges are exorbitant and that there is little they can do in the face of price increases.

Another complaint is that fees aren't uniform. Some big merchants, including Amazon, Walmart and Costco, often pay lower fees due to the volume of transactions they handle. The card companies counter that the convenience of cards means more sales for merchants than would otherwise occur and that expenses tied to fraudulent card purchases and other costs must be covered.

The pushback against card fees has been particularly pronounced outside the U.S. In recent years, interchange

fees on debit and credit cards that are paid in many European countries have been lowered and capped. Visa and Mastercard recently reached a proposed settlement with European Union regulators to lower the interchange fees that merchants in the region pay on debit and credit cards issued outside of the area.

Large U.S. merchants, including Amazon, Target and Home Depot are pursuing litigation against Visa, Mastercard and large banks aimed at eventually lowering these fees.

In addition to advocating for congressional and regulatory intervention, NACS was a named plaintiff in a class action lawsuit against the credit card companies and their issuing banks on grounds of antitrust violations. NACS successfully advocated for the courts to reject the inadequate settlement that was reached in that case in 2012 and NACS continues to pursue reform through litigation. A new proposed settlement in that case was filed in September 2018. It only covers monetary compensation and does not limit the relief from Visa's and MasterCard's rules that merchants continue to seek in the litigation.

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Judge Grants Preliminary Approval of Monetary Settlement in Interchange Case

Last week, Judge Margo Brodie of the U.S. District Court for the Eastern District of New York granted preliminary approval of the B3 class settlement In re Payment Card Interchange Fee and Merchant Discount Antitrust Litigation. This is the long-running challenge by merchants to interchange fees and Visa's and MasterCard's operating rules.

The settlement being considered only covers legal claims for monetary relief. Rules changes are still being litigated.

This order tracks what was submitted by class counsel on January 15, which outlined changes to the Notice to satisfy the judge's concerns about branded operators. Notices will now be prepared and mailed. Retailers will likely receive copies of the notice over the next 90 days.

The opt-out or object deadline is July 23, 2019. The court set November 7, 2019, as the date for the final approval hearing.

Cuomo's Plans For Your Business

Gov. Andrew Cuomo will include a measure to ban single-use plastic bags and expand the five-cent fee on some recyclable bottles to encourage recycling and protect the environment in his budget. The bag ban echoes a proposal that was panned by environmental advocates last year, after Cuomo signed a bill overruling New York City's fee on single-use bags. Details were not provided, so it's not clear if this measure will include the loopholes criticized by environmentalists and local officials. Most support a hybrid ban-and-fee measure to reduce both plastic and paper bag use

"While the federal government is taking our environmental progress backwards and selling out our communities to polluters and oil companies, in New York we are moving forward with the nation's strongest environmental policies and doing everything in our power to protect our natural resources for future generations," Cuomo said in a statement. "These bold actions to ban plastic bags and promote recycling will reduce litter in our communities, protect our water and create a cleaner and greener New York for all."

The expansion of the bottle fee would apply it to "sports drinks, energy drinks, fruit and vegetable beverages and ready-to-drink teas and coffee," according to the announcement. The proposed expansion comes as local governments face challenges with recycling programs after China cracked down on what waste it will accept. Several years ago there was a push to expand the bottle recycling bill beyond primarily soda and beer. Industry opposition severely limited the requirements, resulting in beverages like juice seeing an exemption.

Saturday he proposed raising the minimum age to purchase tobacco or e-cigarette products to 21 from 18 years of age. New York City and 17 counties in the state —

roughly three-quarters of the state's population — already have so-called tobacco 21 policies, as do six other states. Cuomo's proposal would also follow the lead of companies like CVS and local governments like Albany County in prohibiting the sale of tobacco products in pharmacies.

The governor also said he would include a provision ensuring that the state Department of Health has the authority to prohibit certain flavors of e-cigarettes that it determines attract underage users. Last year DOH put forward similar regulations, but rescinded them shortly thereafter for additional legal review after some groups raised concerns that it wouldn't stand up to a court challenge.

The plan also includes prohibiting coupons and other sales promotions, and requiring licenses for e-cigarette vendors.

Democrats Introduce \$15 Per Hour Wage Bill

Democrats in the House and Senate have introduced a bill that would raise the federal minimum wage from \$7.25 an hour to \$15 an hour over the next five years, CNBC reports.

Both House Speaker Nancy Pelosi (D-CA) and Senate Minority Leader Chuck Schumer (D-NY) support the Raise the Wage Act. The bill hit the House floor with 181 co-sponsors and the Senate version has 31 co-sponsors.

The business community has largely argued that a federal minimum wage of \$15 will harm small business owners, slash employee hours and hurt companies in areas with lower living expenses. The measure would index the minimum wage to median wage growth after it hits \$15 in 2024.

A higher federal minimum wage would "drastically increase operating costs then these small businesses will be forced to hire fewer people, reduce hours, or even close their doors," said Shannon Meade, vice president of public policy and workforce for the National Restaurant Association.

Already, 19 states have a higher minimum wage than \$7.25 an hour.

CITGO Caps Coverage of Fraud Chargebacks at Pump

CITGO Petroleum Corp. is limiting its chargeback coverage for payment card fraud at the pump even before the big deadline for outdoor chip card acceptance kicks in next year.

By Oct. 1, 2020, the large payment card networks will shift certain fraud liability to gas stations that fail to accept chip cards at the gas island. The deadline for avoiding fraud liability by accepting chip cards indoors was Oct. 1, 2015.

Many of the major brands indemnified branded stations against payment card fraud until hardware and software for chip card acceptance was widely available indoors. The payment card networks postponed the liability shift at the pump by three years, and the majors generally have seen the delay as sufficient.

However, the prevalence of card fraud forced the card networks and, now, CITGO to cut their losses to penalize

high-risk gas stations that exceed certain fraud thresholds ahead of that 2020 deadline for island card readers.

In an announcement of its 2019 Island Card Reader Fraud Program, CITGO has told marketers that locations exceeding the chargeback limits outlined by the card brands will be liable for all island card reader (ICR) chargebacks.

Effective Jan. 1, CITGO placed a cap on how much ICR fraud it will cover unconditionally. The major said it will cover up to \$500 in chargebacks in full. However, when chargebacks exceed \$500, it will provide full coverage only if the station proves it is taking certain steps to deter fraud.

With excessive chargebacks, CITGO stations must:

- Use CITGO security seals properly;
- Install customized locks on dispensers;
- Log and perform pump inspections, at minimum on a daily basis (inspections at shift change are recommended); and
- Check for skimmers or other foreign devices and notify local authorities and CITGO of any "abnormal" findings.

In its 2018 ICR Fraud Program, CITGO required ZIP code verification, and that procedure remains mandatory except in New Jersey where it is prohibited, the major said. CITGO stations also must have PCI-compliant software (compliant with Payment Card Industry standards).

But as CITGO spelled out last year, it refuses to absorb fraud losses if: a station employee is involved; the location overrides certain parameters; the station is aware of the fraud but fails to act; the issuing bank determines the site is the "point of compromise;" or the location exceeds a card brand's excessive chargeback threshold.

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New 'Texting' Skimmers Found

Skimmers tucked into gasoline dispensers have been used by criminals for years, but within the past 18 months, a new variation was discovered in upstate New York, WENY-TV reports. In Horseheads, N.Y., law enforcement removed a GSM/cellular powered skimmer from inside a fuel dispenser. The GSM skimmer had been installed like Bluetooth skimmers, but the GSM skimmer can transmit stolen data through text messaging to any number anywhere in the world.

"With cellular capabilities, instead of these skimmers kind of sitting there and storing up to 7,000 numbers and requiring a perpetrator to come back and kind of be in the premise of where the crime has been committed, now that skimmer is just text messaging the credit card numbers in perpetuity," said FBI Special Agent Marc Smith with the bureau's Albany, N.Y., division.

Once criminals have credit or debit card data, they usually buy gift cards or money orders. "We were noticing that the stolen card information that was being pulled from skimming devices was being used to purchase U.S. postal money orders, which are purchased at postal facilities and they can be purchased up to \$1,000, and that's primarily where those cards were being used," said U.S. Postal Inspector Joseph Kelly.

Secret Service Alerts Retailers About Contactless Skimmers

The U.S. Secret Service's Philadelphia Field Office has alerted retailers to be on the lookout for a new skimming technique to steal payment card information at gas pumps.

Contactless enabled dispensers use near field communication (NFC) to allow the wireless exchange of payment data between some smartphone applications or contactless credit cards and the payment terminal. Contactless payment systems mask real credit card numbers with a special token, known as a device account number, that contains information identifying both the mobile device used for payment and the payment card itself to the NFC reader.

Per the Secret Service, fraudsters are now using a sophisticated technique that involves a cellular relay skimmer located in the contactless NFC reader on the outside of a gas pump. When customers make a contactless payment, this skimming device picks up the contactless card primary account number over-the-air before it reaches the point of interaction (payment terminal), which means that it will even defeat point-to-point encryption.

Since this skimmer contains a cellular relay, it can transmit stolen card data wirelessly via text message. Consequently, fraudsters can receive real-time transmissions of the stolen card data from anywhere in the world.

The Secret Service notes that retailers should be aware that a small external cellular antenna may also be attached to this device. Any questions relating to this alert can be directed to the GIOC at gioc@uss.s.dhs.gov or 202-406-6009.

Dunkin' Got Hacked

On Tuesday, Dunkin' Brands announced that hackers got access to customer information during a credential stuffing attacking, reports Pymnts.com.

Credential stuffing occurs when hackers use combinations of usernames and passwords gleaned from other websites and try to break into different accounts at other websites.

According to ZDNet, this is the second time in three months that members of the Dunkin' Donuts Perks reward program were victims of credential stuffing. The first incident happened in November, and the most recent attack occurred on Jan. 10.

According to ZDNet, the hackers were seeking personal information. They actually wanted the actual accounts, which they are reportedly selling on the dark web to people who use buy them to get free drinks and discounts at Dunkin' outlets.

This type of attack has grown over the past two years as scores of usernames and passwords have been shoved into the public light. In the past, the information would be tough to get, but now data have been shared and reshared so often that this type of information is easily obtainable.

Other companies have fallen victim to credential stuffing attacks. AdGuard, the ad blocker company, suffered

a similar attack in September, while HSBC was targeted in November. Reddit, DailyMotion and Basecamp were victims of credential stuffing attacks in January.

Ag&Markets simplifies section 224 of Regulations

Ag and Markets has simplified section 224.9 of its regulations to read:

Retailers use the following terms on dispensers and street signs when describing gasoline or gasoline-alcohol blends.

- 1) "Regular" shall mean eighty-seven (87) octane.
- 2) "Mid-grade", "Plus", "Extra" and similar terms shall mean eighty-nine octane or greater.
- 3) "Premium", "Super", "Ultra" and similar terms shall mean ninety-one (91) octane or greater.
- 4) "Ethanol free gasoline containing less than one percent (1%) ethanol by volume shall be labeled "ethanol free", "non-ethanol", "no ethanol" or similar term.

These regulations take the place of regulations requiring the actual posting of octane ratings at the pump. While it is admirable that a government agency is trying to simplify regulations, in this case they have totally missed the mark. 91, 92, and 93 octane gasoline are not the same gasoline, and should not be all simply labeled premium. This does a disservice to the gasoline dealer and the consumer alike. Consumers will compare the prices of a dealer selling 93 octane premium and those of the dealer selling 91 octane premium and determine the former is trying to rip them off. Likewise consumers wishing to purchase 93 octane gas will no longer be able to determine which stations sell it.

Of further concern is the onus of requiring station to replace them with signs that meet the new requirements.

Consumers are savvy enough to recognize what octane ratings mean and what octane gasoline is best for their vehicle. Simplifying the system serves no purpose, and hurts the retailer and consumer alike. We suggest that that this attempt at simplifying the system be brought to its natural conclusion. All grades of gasoline should merely be labeled "gas" at the pump. Ridiculous, huh? Exactly.

Marathon Adds More Value to MakeItCount Loyalty Program

Marathon Petroleum Corp. boosted its MakeItCount loyalty program to include an everyday discount at the pump.

According to the company, as of Jan. 1, program members will receive 5 cents off per gallon each time they enter their MakeItCount number at the pump when filling up at participating Marathon locations.

There are no tiers or other qualifications to receive the discount. Loyalty members still earn additional point-based rewards on fuel and select products inside the store. The reward points apply to the consumer's chosen airline, hotel, gasoline or environmental program partner.

Marathon unveiled the rewards program for its brand network in April. MakeItCount members earn points directly in their choice of Southwest Airlines Rapid Rewards; La

Quinta Returns; Sustain tree planting program in partnership with the Arbor Day Foundation; or the My CentsOff fuel savings program, as Convenience Store News previously reported.

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

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

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

Not Enough Recharging Stations

Take the 600-mile drive on California's Pacific Coast Highway between San Diego and San Francisco in an electric car. The views will be spectacular and plentiful, but places to recharge the vehicle will be limited, according to a Bloomberg report.

Even with a growing market for electric vehicles, drivers who get too far from home can have trouble finding a recharge station. California, home to about half of the nation's electric passenger cars, does more than almost every other state to encourage EVs. But that doesn't make driving around any easier.

"It's a pretty rubbish experience charging a car today," Roy Williamson, vice president of oil giant BP Plc's advanced mobility unit, said at a Bloomberg conference in San Francisco recently.

Globally, the electric-vehicle fleet reached 5 million last year, which was supported by 632,000 public charging outlets worldwide. If the number of EVs hits 30% market share by 2030, the International Energy Agency predicts a need for somewhere between 14 million and 30 million public chargers around the world.

The best-performing EVs can drive 200-plus miles on a full charge, which means drivers can have wildly different experiences depending on where they need to recharge. Using a regular household wall socket, it can take a driver about 12 hours to replenish an EV battery that has run down to 20%. Of course, if the recharge takes place overnight, that will hardly be a problem.

Recharging stations capable of medium charging speeds, which are available to homeowners and found along highways or in shopping areas, will add between 10 and 60 miles of driving range per hour. Fast chargers can add at least 75 miles in 30 minutes, but at a premium cost. However, most recharging experiences still fall short of the 10-minute time it takes to refill at a gas station.

Today, about 80% of EV owners recharge at home or at the workplace, so adding millions of additional public charging points is crucial to give motorists the confidence to give up combustion engines.

The balance of charging inside or outside the home is also shifting as EV prices fall. But the vehicles are increasingly purchased by drivers who don't have space to park within a plug's reach of their home. In China, home to about 600,000 EVs, it's not uncommon to see power cords trailing from upper-floor apartment windows to EVs parked at street level, according to a report from Columbia University.

In Norway, low volumes of public chargers haven't impeded the rise of EVs, which now account for about half of new vehicle sales. Germany, on the other hand, has more charger stations than any country besides the U.S. and China, but EVs make up only 2% of vehicle sales.

Building new charging stations will be challenging. Fast-charging stations require at least eight customers per day to break even, according to Bloomberg. But the average public charger in some markets sees less than five customers a day.

EV makers want to boost EV sales and are taking action. Tesla built charging stations and networks on four continents, including the U.S. and China, to help spur sales and improve the infrastructure. Volkswagen's Electrify America unit plans to spend \$2 billion to support zero-emission vehicles in the U.S., including \$800 million in California. Recently, the company announced it has 105 electric-vehicle charging sites in the U.S. and plans to have 484 built by July 1.

Oil companies are getting in on the act. Royal Dutch Shell Plc will be the first oil major to own a U.S.-based charging service outright after closing its acquisition of Greenlots. Rivals Total SA and BP, along with producers of fuel pumps and gas station equipment, also are investing and acquiring.

Industry experts say that for EVs to go mainstream, automakers must produce cheaper vehicles that can travel further on a single charge, while helping to ensure that recharging stations are everywhere.

Virginia Lawmakers Approve Higher Tobacco Buying Age

This week, Virginia House legislators voted to raise the state's tobacco buying age to 21, a few weeks after the Virginia Senate approved a similar bill, the Washington Post reports. Gov. Ralph Northam, who as a state senator pushed for the prohibition against smoking in Virginia restaurants, hasn't indicated whether he'll sign the measure or not.

"We certainly know the majority of kids in high school who are getting vaping products are getting them from older students," said Del. Chris Stolle, who sponsored the House bill. The law "will get it out of those friends' hands, which we think is a significant source ... because once they're addicted, we've lost them."

In West Virginia, a similar bill is in a Senate judiciary committee and in the House health and human resources

committee, the Washington Times reports. The West Virginia bill also includes tobacco and vaping products.

The Altria Group, with its headquarters in Richmond, supported the measure. Six other states and the District of Columbia have restricted the sale of tobacco to those 21 and older. Earlier this week, the U.S. Centers for Disease Control and Prevention released a report suggesting that electronic cigarette use is on the rise among middle and high school students. The agency reports that nearly 5 million middle and high schoolers used some form of tobacco last year.

Hawaii Considers Ban on Cigarette Sales

Hawaii became the first state in the country to ban the sale of cigarettes to anyone under 21 in 2016. But a new proposal in the state legislature could make laws even tougher.

Lawmakers hope to ban cigarettes altogether by 2024 with House Bill 1509. The ban would take effect progressively over the years, starting with raising the minimum age to 30 in 2020. By 2022 no one under 50 could buy cigarettes, and two years later no one under 100 would be able to purchase them. The measure does not include e-cigarettes.

Hawaii News Now says it's a long shot, and reports that the bill has passed its first reading and has been assigned to committees. But as it's making national headlines, it's likely to get a hearing date eventually.

"The cigarette is considered the deadliest artifact in human history," write the authors of the bill, two Democrats and one Republican, in their preamble to the measure. "The cigarette is an unreasonably dangerous and defective productive, killing half of its long-term users."

Just 13% of Hawaii adults are smokers, which is less than the national average at 17%. The state also has a high cigarette tax at \$3.20 a pack.

Report Suggests Youth E-Cigarette Use Is on the Rise

According to the National Youth Tobacco Survey (NYTS), tobacco product usage among middle and high school students increased in 2018.

The report, "Vital Signs: Tobacco Product Use Among Middle and High School Students—United States, 2011-2018," includes findings on current youth use of cigarettes, cigars, e-cigarettes, smokeless tobacco, hookah, pipe tobacco and bidi, as well as findings on use of multiple products and frequency of use.

The study found that in 2018, approximately 5 million middle and high school students used a tobacco product, with more than 3.6 million currently using e-cigarettes and about half (2.5 million) currently using cigarettes or cigars. For the fifth year in a row, e-cigarettes were cited as the most commonly used tobacco product among U.S. youth.

Per NYTS, from 2017 to 2018 the use of any tobacco product increased from 19.6% to 27.1% among high school students, from 5.6% to 7.2% among middle school students. Current e-cigarette use increased from 11.7% to 20.8%

among high school students, and from 3.3% to 4.9% among middle school students.

The rates of youth tobacco use, particularly e-cigarette use, continue to be of concern to U.S. Food and Drug Administration (FDA). Last year the FDA announced that it would impose sharp restrictions on the sale of most flavored pod-style e-cigarettes, effectively pulling them from most convenience stores and gas stations and requiring strict age-verification controls for online sales.

FDA Calls Out Retailers for Youth Tobacco Sales

The Food and Drug Administration (FDA) is cracking down on select locations of Circle K Stores Inc. and Walgreens for selling tobacco products to underage consumers.

On Feb. 7, the agency filed complaints seeking No-Tobacco-Sale Orders (NTSO) against the retailers for repeated violations on the sale and distribution of tobacco products, including cigars and menthol cigarettes to minors.

The NTSO actions seek to bar a Circle K store in Charleston, S.C., and a Walgreens drug store in Miami from selling tobacco products for 30 days.

According to the agency, Walgreens is currently the top violator among pharmacies that sell tobacco products, with 22 percent of the stores inspected having illegally sold tobacco products to minors.

The NTSO action against this Walgreens outlet follows the issuance of more than 1,550 warning letters and 240 civil money penalty actions against Walgreens stores nationwide for unlawful tobacco product sales to minors. However, this is the first NTSO action taken against a Walgreens store.

While the NTSO action against Circle K is not its first, it marks the first time the agency has initiated an NTSO complaint for the sale of deemed products — cigars — to minors. Since 2010, the FDA has issued more than 1,045 warning letters and 205 civil money penalty actions to retailers doing business as Circle K for sales to minors.

According to the FDA, among other national, corporate-owned chains, 17.5 percent of Walmart Inc. stores inspected had violations for illegal sales of tobacco products to minors. Additionally, 14 percent of Dollar General Corp. stores inspected, and 9.6 percent of Rite Aid Corp. stores inspected had illegally sold tobacco products to minors.

FDA Commissioner Scott Gottlieb will request a meeting with Walgreens corporate management "to discuss whether there is a corporate-wide issue related to their stores' non-compliance and put them on notice that the FDA is considering additional enforcement avenues to address their record of violative tobacco sales to youth," he said.

Gottlieb added he was "deeply disturbed that a single pharmacy chain racked up almost 1,800 violations for selling tobacco products to minors across the country."

According to the commissioner, the agency is evaluating its data on other large, national retailers to identify chains that also have high rates of repeat violations and are considering what additional measures the FDA should pursue.

"While many of our recent enforcement actions focused on the illegal sales and marketing of e-cigarettes, today's announcement is a reminder that youth access to all tobacco products remains a public health problem. No child should be using any tobacco or nicotine-containing product. And no retailer should be illegally selling these products to minors," Gottlieb said.

"As part of our Youth Tobacco Prevention Plan, we'll continue to employ all the tools at our disposal to monitor, penalize and prevent sales of all tobacco products, including e-cigarettes, to minors at brick-and-mortar stores and Internet storefronts as we work to ensure these products are sold in ways that make them less accessible and appealing to kids," he added.

When violations are found, the agency generally issues warning letters and may take enforcement actions, including civil money penalties and NTSOs. Since its retailer enforcement program began in 2010, the FDA has issued more than 81,570 warning letters to retailers for violating the law, initiated more than 19,800 civil money penalty cases and issued 145 NTSOs, as of Dec. 31.

Under the law, the FDA may pursue an NTSO against a retail outlet that has committed a total of five or more repeated violations of federal tobacco regulations within 36 months. After the FDA initiates an NTSO action by filing a complaint, a retailer has the opportunity to respond to the complaint, and must generally do so within 30 days.

Retailers who receive an NTSO complaint from the FDA may enter into a settlement agreement or respond with an answer and contest the allegations before an administrative law judge. If an NTSO goes into effect, a retailer is responsible for ensuring that the establishment does not sell tobacco products during the specified period.

Congress Holds Marijuana Banking Hearing

This week, the House held its first hearing on marijuana, Politico reports. The Financial Services Committee hearing heard from bankers about the difficulties financial firms faced because of current federal restrictions on pot and states that have eased marijuana prohibitions.

Because of the murky legalities, lenders have not been not eager to provide legitimate pot businesses with banking services, which forces cannabis sellers to use cash. Cash-only businesses can be more prone to more criminal activities, such as theft and violence. The hearing started with a photo of a military veteran working as a security guard who had been killed in a dispensary robbery.

"The fact is, you can't put the genie back in the bottle," said Rep. Ed Perlmutter (D-CO). "Prohibition is over. Our bill is focused solely on taking cash off the streets and making our communities safer."

Perlmutter and Rep. Denny Heck (D-WA) have been strong supporters of marijuana banking bills for several years. Many House Democrats are in favor of a federal fix to the pot banking dilemma, while House Republicans expressed concern that the current bill needed more anti-money laundering regulations.

Rep. Patrick McHenry (R-NC) questioned if the measure would mitigate the problem. “There’s a lot to be resolved,” he said, including the need for “wider inputs” beyond the Wednesday hearing.

No More CBD in NYC Food and Drinks

The Caffeine Underground in Brooklyn is in trouble over CBD-infused edibles, according to a video report from NBC Nightly News.

Ian Ford, proprietor of the coffee shop, claims that his business boomed when he began offering customers coffee and tea infused with cannabidiol or CBD. But now the NYC Health Department has stepped in to prohibit bars and eateries from selling food containing CBD.

“We were the first ones in New York State to offer drinks with CBD, and it became a big deal for us,” he told NBC News. “Now I don’t know what’s going to happen. They know we sell this, but they’re not talking to us until they show up, apparently. All of this is very confusing. It’s legal to buy it and stick it on your tongue, but it’s not legal to buy it and stick it in your coffee? It’s like there’s no rules and too many rules.” (For more on what’s legal and what’s not with CBD, check out the latest NACS resource on CBD retailing.)

The city’s Department of Health confirmed in a statement that it is ordering restaurants and other establishments not to sell food or beverages containing CBD because the additive has not been deemed safe to consume.

“Restaurants in New York City are not permitted to add anything to food or drink that is not approved as safe to eat,” the statement read. “The Health Department takes seriously its responsibility to protect New Yorkers’ health. Until cannabidiol (CBD) is deemed safe as a food additive, the Department is ordering restaurants not to offer products containing CBD.”

The health department gave NBC News a list of 11 Manhattan restaurants that have been “ordered not to use CBD as a food additive in products.”

Other cities are lowering the boom on CBD. States like Maine and Ohio are also barring the sale of food products containing the chemical. Unlike THC, which stands for tetrahydrocannabinol and is the main component in marijuana, CBD doesn’t get people high. But it’s been touted by many as a remedy for anxiety, insomnia, pain and a host of other ailments, although there is little research to back those claims.

In June, the federal Food and Drug Administration approved the first-ever CBD drug to treat epilepsy. At the same time, the FDA website says that CBD cannot be sold as a dietary supplement or added to food that crosses state lines. Meanwhile, the federal Drug Enforcement Administration still regards cannabis as a banned drug and therefore illegal despite the fact that marijuana has been legalized in states, such as California and Massachusetts. In New York State, marijuana for medical use is permitted.

A recent NBC investigation found that some manufacturers are trying to cash in on the CBD craze—and

the lack of regulation—by selling products that they claim contain CBD but in fact don’t.

“Patients are being duped,” said Chris Martinez, president of Evio Labs, which analyzed 35 CBD products and found that 20 contained less than half the amount of CBD reported, and some contained none at all.

Back at Brooklyn’s Caffeine Underground, Ford is still puzzled. He has called the city health department, but so far, “I’m not getting any answers.”

Federal Court Blocks San Francisco Health Warnings on Soda Ads

For the second time, a federal appeals court has blocked a San Francisco law mandating health warnings on ads for soda and other sugary drinks, according to U.S. News. Such a precedent could have broader impacts and could be helpful in other areas where regulators try to force business to deliver certain messages.

In a unanimous ruling, the 9th U.S. Circuit Court of Appeals affirmed a 2017 decision by a three-judge appeals panel. The 11 judges said the law violates constitutionally protected commercial speech and granted a preliminary injunction that stops the 2015 ordinance from taking effect.

The court also found San Francisco’s warning that drinking sweet drinks can lead to obesity and other diseases wasn’t based on established fact. The ruling cited Food and Drug Administration statements that sugar is “generally recognized as safe” when not consumed to excess.

The American Beverage Association, which represents Coca-Cola, PepsiCo and others, teamed with the California State Outdoor Advertising Association and California Retailers Association to oppose the San Francisco health warning.

“We are pleased with this ruling, which affirms there are more appropriate ways to help people manage their overall sugar consumption than through mandatory and misleading messages,” the American Beverage Association announced.

City officials said they would explore ways to modify the warning label so it would pass court review. The law would have required all beverage advertisements within San Francisco city limits to feature health warnings.

Indiana May Ban Energy Drink Sales to Minors

In a two-hour period, 16-year-old Davis Cripe drank a large amount of Mountain Dew, a café latte and an energy drink. A few hours later, he died at a local hospital from a caffeine-induced irregular heartbeat.

Now Cripe’s father and some Indiana lawmakers want to ban the sale of energy drinks to anyone under age 18, reports Tristatehomepage.com. The proposed Senate Bill 369 would penalize anyone in Indiana selling energy drinks to minors.

According to Jill Michels of the Palmetto Poison Center, it’s recommended that adults consume no more than 400 milligrams of caffeine in a day, “and that’s about four cups of coffee.”

The amount of caffeine in energy drinks varies, but just one can have half or more of the daily safe limit for an adult. By comparison, a 12-ounce Coke or Pepsi has about 34 milligrams.

The American Academy of Pediatrics recommends that children and teens have no caffeine at all. Caffeine has been linked to a string of health problems for children, including headaches, stomach aches, hyperactivity and sleep problems.

The Indiana bill was introduced to the Senate Committee on Rules and Legislative Procedure. It has not yet come up for a vote.

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 nysassrs-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 Compliance Materials

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

Selling Your Inspection License

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

If you have questions on the sale and/or transfer of an inspection license call the association office at 518-452-4367.

Attention Inspection Stations

The Association has received a flurry of requests for legal representation for violations of the DMV commissioner regulations known as "clean scanning." that is when a vehicle other than the one to be inspected is substituted 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 THAN 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

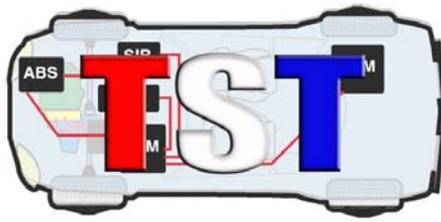
SERVICE STATIONS REPAIR SHOPS USED CAR DEALER ATTENTION

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



Technicians Service Training

Presents

"The Sixteenth Annual TST Tech Training Big Event"

ONLY \$125.00 GASDA & GRANY MEMBERS - NON-MEMBERS \$200.00

FREE Android Tablet – 3 Training Seminars - Hot Breakfast – Lunch – Snacks

through the day and a Chance to Win Some GREAT Tools (Thanks to our generous sponsors, we can keep the cost low!)

Featuring:

- 1. Kris Lewis – ATG "Direct Injection & Systems Diagnostics"**
- 2. John Anello – ATOW "Advanced Driver-Assistance Systems (ADAS)"**
- 3. John Thornton – Autotrain, Inc. "In Cylinder Pressure Transducer Diag"**
- 4. Vin Waterhouse – The Waterhouse Group "Keynote Speaker"**

Topic 1: "Direct Injection & Systems Diagnostics"

Gasoline Direct Injection (GDI) is simple in design but difficult to diagnose. This is why ATG has adapted a 'High Level Indicator' approach for ruling out possible causes before parts come off. This seminar was built by analyzing actual diagnostic struggles and documenting the shortest diagnostic paths for these systems. Because of this practical approach, you won't be buried in useless engineering detail – only useful facts that you can measure and that will help guide your diagnostic path.

Kris Lewis: Kris brings a unique combination of experience to teaching, including 'almost everything'. In addition to decades in a shop focusing on drivability and electrical, he worked with an automotive radio program and mentored many technicians through in-shop training before transitioning into local training and a hotline service in the mid-2000s. In 2011 Kris joined The Automotive Training Group as a part time trainer. Since then he has traveled the US and Canada delivering ATG training seminars, focusing on practical strategies that he feels are best learned through great interaction with the audience. Kris is the of Director of Training since 2016 and is a ASE Master L1 A9.

Topic 2: "Advanced Driver-Assistance Systems (ADAS)"

This seminar will familiarize you with information on current and future vehicles. System information and a high energy presentation with a detailed case study.

John Anello: John owns "Auto Tech On Wheels" his passion for automotive vehicles has driven him to work on cars for close to 40 years. John's business provides repair garages with on-site diagnostic support for problem vehicles in their shop without having to tow the vehicle to a dealership. In the last 24 years my business has grown to support 1200 plus repair shops, 400 body shops and 50 transmission shops. ASE Master L1

Topic 3: "In Cylinder Pressure Transducer Diagnostics"

Today, in-cylinder pressure transducers are changing how technicians evaluate the mechanical condition of an engine. John will discuss how to interpret cranking and running compression patterns captured by an in-cylinder pressure transducer. Both good and bad will analyzed. Exhaust path restrictions, intake path restrictions, cam timing issues, leaking valves, broken valve springs and much more.

John Thornton: John operates a mobile diagnostic business in the Chicagoland area. John assists his repair shop customers with both engine and transmission driveability concerns, module programming, BUS communication issues, and electrical diagnosis. John has over 30 years of diagnostic experience and is an ASE certified Master Technician with L1 certification.

*Be a part of the **LARGEST Electronic Handout Automotive Seminar in the Country!***
*Includes: a **FREE ANDROID TABLET loaded with 3 full color Manuals and Newsletter.** Also included is Food, Vendors and Tool Raffles.*



DATE: Saturday, March 30th, 2019 at 8 AM to 5 PM
(Check in - food at 7:00 am)

PLACE: Westchester Marriott
670 White Plains Road
Tarrytown, NY 10591
800 882-1042

Vendors (last year we had over 30 GREAT vendors)

A chance to win some AMAZING Tools *(last year we gave away over \$50,000. In tools! One tool was worth \$24,999.) You must be present to win.

COST: ONLY \$125.00 GASDA & GRANY MEMBERS
NON-MEMBERS \$200.00

March 18th Registration CLOSED- No Exceptions

Sign up online or

Make checks out and send to TST:

11 Lupi Plaza, Mahopac, NY 10541

845 628-6928

Register early to save your spot!

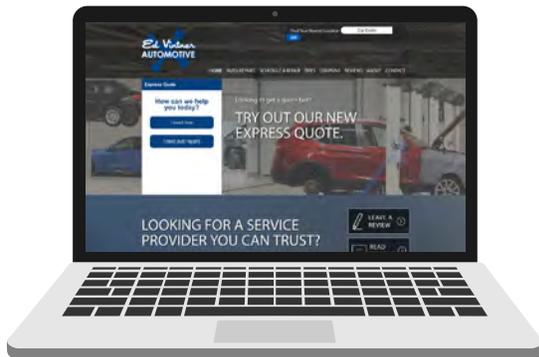
This event will be presented snow, rain or shine, NO REFUNDS!

Check our website www.TSTseminars.org

Our goal is to keep our fellow technicians up to date with the latest technology!

ALL-IN-ONE DIGITAL SOLUTIONS FOR YOUR AUTOMOTIVE BUSINESS

Close the gaps in your online marketing strategy with full-service solutions from Df Auto. Everything you need to build a powerful online presence, all under one roof.

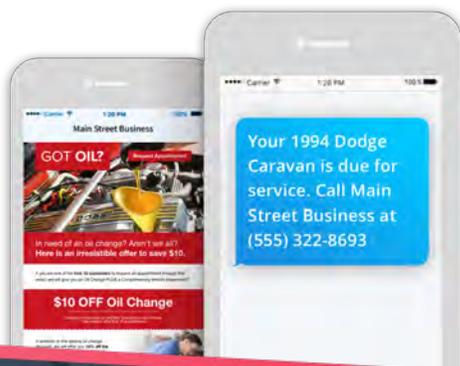
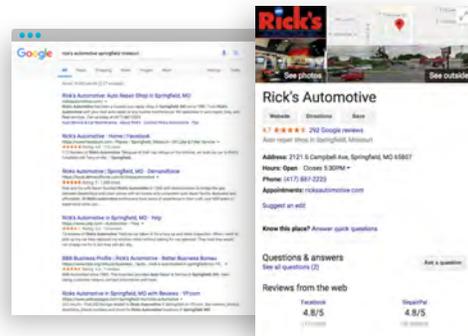


WEBSITE SOLUTION

Stand out from the crowd with a unique automotive design that's branded to your business and guide visitors seamlessly through their journey with intuitive and interactive features. Provide the most user-friendly experience on any device and convert visitors into leads with clear calls-to-action, simple quoting tools, and automatic email replies. Simple searches, fewer clicks, more sales.

ONLINE REPUTATION MANAGEMENT

Build and protect your online reputation with full-coverage from beginning to end. Generate reviews with simple prompting tools to showcase positive feedback about your shop. Stay informed with review monitoring services and notifications sent right to your email. No time to respond to all of these reviews? No problem! We respond promptly and professionally. We also integrate your reviews with your website to show off your rockstar status and help build trust with potential new customers.



COMMUNICATION & MARKETING

Keep customers coming back with email and text reminders about upcoming appointments, promotions, even recommended services by vehicle type and service history. Send marketing emails in a flash with automatic one-click templates, prompt positive reviews after each appointment with a simple text, and send text message status updates. 2-way texting capabilities get the conversation going, and it will be one they're sure to tell their friends about.



Df/AUTO

Call us at **877.860.2005** to schedule a demo, or visit netdriven.com/all-in-one-digital-solutions

PRODUCT BUNDLES TO ACCELERATE YOUR BUSINESS

	Ignition	Throttle	Drive	Overdrive
<p>WEBSITE World-Class Website Design Branded to your business and designed with mobile-first in mind. Free domains, free SSL, custom content, and the most user-friendly designs in the industry to guide your website visitors from their device to your shop.</p>	✓	✓	✓	✓
<p>INTERACTIVE WEBSITE FEATURES Educational and Easy-To-Use Everything you need to educate your customers and make it easy for them to do business with your shop. Vehicle diagnostic tool, comprehensive tire & service catalogs, simple quoting tools, even a recommended vehicle maintenance lookup tool and video content.</p>			✓	✓
<p>CUSTOMER COMMUNICATION & REMINDERS Manage and Automate Communications 2-way texting, appointment reminders, shop recommendations, email marketing campaigns, and text message marketing, and customer satisfaction surveys.</p>		✓	✓	✓
<p>REPUTATION MANAGEMENT Review Notification, Responses, and Prompting Tools Tools to generate and manage your online reviews and reputation from start to finish. Review generating text messages, review monitoring and notifications, even review responses. Website integration included.</p>		✓	✓	✓
<p>REPBOOST Automated Review Management Competitive intelligence, business listing tracker, automated review outreach, quick text reviews, and management.</p>	✓		✓	✓
<p>TURBO LISTINGS- POWERED BY YEXT Directory Listing Management System Directory listing management system, technology, real-time and scheduled updates, duplicate suppression, analytics, GoogleMap integration. Easily scan your online health and update 50+ business listings.</p>	Add-On	Add-On	Add-On	Add-On



Call us at **877.860.2005** to schedule a demo, or visit netdriven.com/all-in-one-digital-solutions

**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.**

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New York State Association of Service Stations & Repair Shops

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

NYS Worker's Compensation Program Highlights

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



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

Bill Adams

716.849.8641 | badams@lawleyinsurance.com

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

Lawley

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



Heartland

NYSASSRS now offering “PAY AS YOU GO” billing

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

Benefits of Pay As You Go:

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

About Heartland:

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

For more information contact:

Chandler James

518-452-4367

chandler@nysassrs.com

FREE MONEY

BE A MEMBER OF OUR ASSOCIATION OR AFFILIATES

FILL OUT THIS FORM AND FAX BACK TO US

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

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

PUT THE MONEY IN YOUR POCKET

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

FREE MONEY

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

FAX this form back to:

518 452-1955

ARE YOU AN OWNER OR EMPLOYEE IN NEED OF TRAINING?

DO YOU WANT TO PROTECT YOUR BUSINESS FROM
EXCESSIVE FINES

OR

THE POSSIBLE LOSS OF YOUR:

TOBACCO LICENSE

LOTTO LICENSE

ALCOHOL LICENSE?

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

THE NEW YORK STATE ASSOCIATION OF SERVICE STATIONS & REPAIR SHOPS

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

ALL INFORMATION AND MATERIALS ARE PROVIDED
THROUGH OUR WEBSITE AT:

NYSASSRS.COM

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



Garage Insurance Survey

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

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



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

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

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

♦ **REQUIRED FEES**

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

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

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

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

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

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

5♦ LAST NAME		FIRST		M.I.	6♦ DATE OF BIRTH Month / Day / Year			7♦ SEX Male <input type="checkbox"/> Female <input type="checkbox"/>	
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

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.

17♦ 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.

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PLEASE CONTINUE, AND SIGN ON PAGE 2.



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

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

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

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

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

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

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

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

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

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

25 **NAME** (PLEASE PRINT) _____

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

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

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

