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ATTORNEY'S CORNER

Effective January 6, 2020, all employers in New York State are prohibited from asking about or relying on the salary history of an applicant or current employee to determine whether to make a job offer and/or a person's starting salary. While the statute does not define "applicant," this follows an earlier 2017 ban, which prohibited all New York State government agencies and departments from requesting a salary history from prospective public employees until after an offer of employment is extended.

This new law, which Governor Cuomo signed into effect on July 10, 2019, prohibits employers from asking for salary information as a condition: (1) to be interviewed; (2) of an offer of employment; (3) for a promotion; or (4) for continued employment. Under the new law, employers are prohibited from seeking salary history information from an applicant's previous employers when calling to verify references.

While the new law does not prohibit employees from voluntarily disclosing their salary history or using same as a basis to negotiate a higher starting salary, once an employee discloses her salary history, the employer is permitted only to verify that information and can only do so after an offer of employment is extended. In other words, even if an employee voluntarily discloses her salary history, an employer cannot deem such disclosure as a "waiver" by the employee and seek additional salary information that the prospective employee did not offer. The law also prohibits employers from retaliating against any prospective employee based on her salary history or for refusing to voluntarily disclose her salary history information.

an closely mirrors the existing bans in New York City and the surrounding counties in most aspects, there are slight differences. For example, New York State does not prohibit employers from conducting a search of publicly available records to verify an applicant's salary history while New York City does. Moreover, the New York State ban, similar to that of Albany County, applies to both prospective applicants and current employees seeking a new position within the company while the law in localities such as New York City and Suffolk County applies to new applicants only.

Like New York City and Suffolk and Albany Counties, the New York State ban provides for a private right of action. Unlike New York City or Suffolk and Albany Counties, which require applicants to file a claim with that locality's Commission of Human Rights, under New York State law, an applicant may pursue litigation in state court to recover damages sustained in addition to injunctive relief and attorneys' fees.

In preparation for the new law, employers should remove any salary history inquiries from job applications as well as be mindful to avoid such questions during interviews. Instead, any salary discussion should be strictly limited to the prospective employee's salary expectations. Additionally, when providing references, employers must exclude a former employee's salary history information unless specifically requested otherwise by that employee.

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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New York Tobacco 21 In Effect

ALBANY, N.Y. (CBSNewYork/AP) — New York will raised its smoking age from 18 to 21 under legislation signed into law by Gov. Cuomo. **on Nov. 13, and will apply to the sales of traditional tobacco products. The change for as well as electronic cigarettes and vaping devices.**

Gov. Cuomo said too many children and teens pick up smoking despite decades of efforts to snuff out the habit. The governor blamed part of that on marketing he says is aimed directly at young people.

"By raising the smoking age from 18 to 21, we can stop cigarettes and e-cigarettes from getting into the hands of young people in the first place and prevent an entire generation of New Yorkers from forming costly and potentially deadly addictions," he said in a statement.

The governor's office added that, according to the Surgeon General, 88 percent of adult smokers start using tobacco before age 18 and 90 percent of the people who buy cigarettes for underage children are between ages 18 and 20.

"Tobacco 21 is a no-brainer," said Julie Hart, senior government relations director for the American Cancer Society Cancer Action Network of New York.

Sixteen states have approved raising the smoking age to 21, though the changes won't take effect in some of those states until late 2019 or some time after.

In addition, hundreds of local communities around the nation have made the move to 21. In New York state they include New York City, Long Island, Albany and a dozen other counties.

"Tobacco use is harmful to New Yorkers and leads to cancer, major health problems, and death. Raising the age of purchase to 21 will help ensure fewer children start this deadly habit," senate majority leader Andrea Stewart-Cousins added.

A new hazard to clerks – State Police are accompanying DOH on stings and making arrests on unqualified sales

New York City Sues Online E-Cigarette Sellers

The City of New York has sued more than a dozen online retailers for allegedly selling e-cigarettes to underage residents, Bloomberg reports. This comes amid a nationwide wave of crackdowns as health concerns from vaping rise after 18 deaths in the U.S. were tied to the practice.

The case, New York City v. Artisan Vapor Franchise, filed in the U.S. District Court, Eastern District of New York (Brooklyn), addresses the city's call to block 22 online retailers from selling e-cigarettes to residents who are younger than 21 and demands that the companies install age verification systems.

"The kids of New York are the pride of our city, but to these companies, they're just a source of profit," Mayor Bill de Blasio said in a statement. "Preying on minors and hooking them on a potentially lethal, lifelong nicotine addiction is unconscionable."

Artisan Vapor Franchise, the first company named in the suit, was surprised by the news and said the company uses a third-party service to verify customers' ages and is looking into how a minor could have purchased a product. Another company, JUUL Labs Inc., is a defendant in nearly a dozen federal lawsuits and more than 40 suits in state courts.

Earlier this month, New York state instituted an emergency ban on flavored e-cigarettes, but it was blocked by a state appeals court after a challenge from the Vapor Technology Association. Additionally, late last week, a U.S. House panel asked four e-cigarette companies to stop all print, broadcast and digital advertising of their products in the United States, reports U.S. News.

Bill Regulating Online Sales of E-Cigarettes Advances to House Floor

The House Judiciary Committee Wednesday voted unanimously by voice to advance H.R. 3942, the Preventing Online Sales of E-Cigarettes to Children Act, to the full House of Representatives for consideration. NACS supports the legislation which seeks to close the online loophole of e-cigarette sales to minors by applying the same measures already in place for cigarettes sold over the internet.

According to a study published in 2018 by the American Journal of Health Promotion, the internet is the most common retail source of e-cigarettes to minors. The Preventing Online Sales of E-Cigarettes to Children Act seeks to address this by requiring online merchants to ensure the delivery carrier verifies the recipient is of legal age by conducting an ID check upon delivery. Additionally, it would require online merchants collect and remit the appropriate state and local taxes.

These requirements are already the law for cigarettes sold over the internet because of a 2009 law that Congress passed in an effort to reduce illicit sales and underage sales at the time. Since e-cigarettes were not prevalent at that time, they were not included in the 2009 law. However, a decade later, Representative Rosa DeLauro (D-CT) and Representative Kelly Armstrong (R-ND) introduced the Preventing Online Sales of E-Cigarettes to Children Act to update the law to include e-cigarettes and close the online loophole of access to minors. The legislation touts a list of bipartisan cosponsors, including the Ranking Member of the Judiciary Committee Representative Doug Collins (R-GA).

During the House Judiciary Committee markup of the legislation, both Chairman Jerry Nadler (D-NY) and Ranking Member Doug Collins (R-GA) spoke in favor of the legislation, as well as a slate of members on both sides of the aisle.

"As the number of children and teenagers using e-cigarettes increases, I'm very concerned about the accessibility of these products online. By requiring in-person age verification upon delivery of online purchases of e-cigarettes products, the bill will help curb and address the purchase and use of e-cigarettes by minors," stated Representative Lou Correa (D-CA).

"In 2010, Congress passed the PACT Act to address the concerns about the internet sales of cigarettes. The PACT

Act required internet sellers of cigarettes to verify the age of the purchaser upon delivery, and it required internet cigarette retailers to collect and remit state and local taxes. It only makes sense that we apply the same rules to e-cigarettes. We can significantly cut down on youth access and address illicit online sales without affecting law-abiding adults who use these products," stated Representative Guy Reschenthaler (R-PA).

With the bill clearing the House Judiciary Committee, the legislation now advances to the House floor for consideration. The Senate version of the bill, S. 1253, was introduced by Senators Dianne Feinstein (D-CA), John Cornyn (R-TX) and Chris Van Hollen (D-MD) and is awaiting consideration by the Senate Judiciary Committee.

Fed Crackdown May Send E-cig Users Back to Conventional Smokes: Wells Fargo

The U.S. Food and Drug Administration's crackdown on e-cigarette flavors could send vaporers back to smoking regular cigarettes, according to recent survey data from Wells Fargo Securities.

The Tobacco Talk 3Q survey covered retailers representing about 50,000 convenience stores, or about 32% of the channel. One-third of respondents said they were already seeing signs of consumers who use e-cigs turning to traditional cigarettes.

Wells said in states where e-cig flavor bans are in place, retailers report "confusion," "thinning" e-cigarette inventories and consumers stocking up on the banned product.

Retailers expect cigarette volume pressure to ease next year, as a result of vaporers' shift to cigarettes, the bank said. Large e-cigarette maker JUUL Labs is expected to see its growth "substantially moderate" in 2020, according to Wells.

In late September, JUUL had announced that it was suspending all broadcast, print and digital product advertising in the United States and that it would not fight the FDA's draft guidance on banning flavored vaping products, "committing to fully support and comply with the final policy when effective."

Other e-cig vendors "VUSE Alto & NJOY are fighting hard with heavy promos -- 99¢ device deals -- but retailers view 'buying share' as unsustainable," Wells said in its report.

--Donna Harris, dharris@opisnet.com

Trump Pursues Federal E-Cigarette Age Hike

President Donald Trump Friday announced that his administration will pursue raising the federal minimum age to purchase electronic cigarettes from 18 to 21 as a way to combat youth vaping, reports AP News.

"We have to take care of our kids, most importantly, so we're going to have an age limit of 21 or so," said Trump, speaking outside the White House on Friday.

More than one-third of states have already raised their tobacco sales age to 21. To make it a federal law, congressional action is needed. The effort already has bipartisan support in Congress, including a bill introduced in May by Senate Majority Leader Mitch McConnell.

"We really want to make sure we're data driven on this and striking the right balance between adult choice and protecting kids," said Joe Grogan, a top policy advisor to President Trump. Grogran said the White House believes e-cigarettes are "a viable alternative to combustible cigarettes."

Some tobacco companies, including JUUL, support a federal "Tobacco 21" law to reverse teen use of both e-cigarettes and traditional tobacco products amid the current underage vaping health epidemic.

Raising the age will limit the supply and access to young adults, especially those who are used to getting it from older friends. One in four high school students reported vaping in the previous month in the latest federal survey of teen tobacco use. JUUL was cited as the top brand among high schoolers who use e-cigarettes, with mint the popular flavor. Last week, the company announced it voluntarily would stop selling mint-flavored pods, leaving only tobacco and menthol flavors on the market.

Trump Administration Reportedly Backing Off Flavored Vapor Ban

The electronic cigarette and vapor industry — and the retailers that sell the products — have been waiting for two months for the federal government to take action on flavors. Now reports indicate there may not be any action.

According to The Washington Post, President Trump is reconsidering his initial push to ban flavored vapor products from the market.

The possibility has been a hot topic since November 2018 when Scott Gottlieb, then commissioner of the Food and Drug Administration (FDA), directed the agency's Center for Tobacco Products to revisit the compliance policy flavors — other than tobacco, mint and menthol — in electronic nicotine devices, as Convenience Store News previously reported.

The issue picked up steam on Sept. 11 when Health and Human Services Secretary Alex Azar announced the FDA would make removing unauthorized non-tobacco flavored e-cigarettes from the market a priority.

The agency was expected to finalize a compliance policy within weeks, but it never did.

As The Washington Post reported, the plan to remove most flavored e-cigarettes from the market had been cleared by federal regulators and a news conference to announce the policy shift was scheduled for Nov. 4. However, the night before, Trump decided not to move forward with the ban.

His sign off was the last piece needed for the regulatory change but the president feared it would lead to job losses, a Trump adviser who spoke on the condition of anonymity told the news outlet. How the change would affect vape shops and their customers — and his 2020 re-election campaign — was also a driving factor behind Trump's decision, the report added.

Any new policy around flavored vapor products remains up in the air. "President Trump and this administration are committed to responsibly protecting the health of children," White House spokesman Judd Deere told The Washington Post. "At this time, we are in an ongoing rulemaking process, and I will not speculate on the final outcome."

CDC Names Potential Toxin in Vaping-Illness Cases

Centers for Disease Control and Prevention (CDC) announced that there has been a breakthrough in the search for possible causes in vaping-related deaths and illnesses: vitamin E acetate. More than 2,000 vaping-related illnesses have been reported in the United States, and at least 39 have been fatal, reports the New York Times.

A study released in the Morbidity and Mortality Weekly Report analyzed fluid from the lungs of 29 patients in 10 different states who had e-cigarette or vaping product use associated lung injury. The only substance to be "universally detected" in every sample was vitamin E acetate.

"These new findings are significant because for the first time we have detected a potential toxin of concern," Dr. Anne Schuchat, principal deputy director of the CDC, said on a call with reporters Friday. "These findings provide direct evidence of vitamin E acetate at the primary site of injury within the lungs, and the samples reflect patients from states across the country to date."

Vitamin E acetate (technically, Alpha-tocopheryl acetate) is a naturally derived supplement of vitamin E that's most commonly used in skincare products. Although doctors have approved vitamin E for consumption and vitamin E acetate for use on skin, the CDC's new report suggests that the substance can prove dangerous when inhaled.

The CDC described it as a "known additive" that has been known to be used on the black market to "dilute" or thicken the liquid in e-cigarette or THC vaping products. The next steps are for the researchers to determine exactly how vitamin E acetate interferes with lung function.

Additional Proposed Department of Motor Vehicle Inspection Regulations - Senate Bill

Senator Tedesco has introduced legislation in the last session that would more than likely be added to the 2020-21 session of the legislature.

The bill requires a safety inspection to now also include the additional inspection of the vehicles license plate. Whenever a license plate has become so delaminated or otherwise damaged or worn as to become illegible the license plate does not meet the safety conditions of the New York State rules and regulations for inspection.

The legislation reads, "a license plate shall be deemed to be illegible when at least one of the license plate numbers or letters cannot be read because more than one third of the number or letter lacks color due to delamination of the license plate number or letter. It will also be in violation of the inspection law should a license plate be missing."

The bill does make an accommodation that the Commissioner will waive payment of the fee required by regulations to buy a new license plate.

Comment: Another requirement that an inspection station will need to perform. More information as it becomes available.

Survey: Youngest Drivers Leading the Charge Toward EVs

Young drivers are leading the charge when it comes to adoption of electric vehicles, according to a new survey on the growth of EV use in the Northeast and California markets.

While only 16% of the total of survey respondents said they owned an electric vehicle, that number rose to 33% when looking at vehicle owners 23 or younger, according to the West Monroe consulting group.

The survey polled 1,000 respondents in California and the Northeast, as well as 280 business owners and found that younger drivers, by far, have the largest proportion of EV owners. The survey found that while about a third of the youngest responders owned an EV, only 19% of millennials, 14% of Gen Xers and 6% of baby boomers drove electric vehicles.

When it comes to planning their next vehicle purchase, 18% of respondents said it was extremely likely they'd purchase an electric vehicle while 41% said it was "somewhat likely." Forty-one percent said it was not likely that their next vehicle would be an EV.

While the rate of ownership is similar in the two areas surveyed -- 17% in California and 15% in the Northeast tri-state region -- 22% of California consumers said they're "extremely likely" to purchase an EV as their next vehicle, compared to 14% of those in the Northeast.

The respondents said that longer-lasting batteries (54%), more charging stations (45%), a competitive cost to internal combustion engine vehicles (45%) and better tax incentives (33%) would all encourage people to consider switching to an EV. Respondents said factors deterring them from making the switch are cost of EVs (67%), a lack of local charging stations (43%) and concerns over battery life (29%), according to the survey.

Among businesses surveyed, EV use is even lower, with only 7% of business owners responding that they use EVs in their fleets. Among business owners who use EVs, half said electric vehicles now make up 50% or more of their total fleet, according to West Monroe.

In addition to concerns about cost, charging options and vehicle range, 33% of owners said there were no electric vehicle versions of the type their businesses need. When asked about factors that would have them consider purchasing EVs, 61% of business owners said saving on the cost of gasoline would be a prime consideration, and 70% said more charging stations would help change their minds.

Monroe West said there were approximately 5,894 public EV charging stations in California as of Sept. 6 -- an average of roughly one per 28 square miles -- compared to 2,125 stations in the Northeast tri-state region, for an average of one per 32 square miles.
--Steve Cronin, scronin@opisnet.com

AAA: More Teens Getting Their Licenses as Economy Is Strong

The strong United States economy has led to a large growth over the last seven years in the percentage of teenagers obtaining their driver's licenses, according to a new report from AAA.

The latest research from the AAA Foundation for Traffic Safety shows that more than 60% of teens got their driver's licenses before the age of 18. That's an 11% increase from when the foundation first evaluated the issue in 2012.

At that time, the United States was emerging from the great recession and many teens without licenses cited the high cost of driving as a reason for not obtaining their licenses, according to AAA.

The foundation's latest survey of people aged 18-24 found that 40.8% got their licenses at or before age 16 and 60.3% got their licenses before the age of 18.

The survey also found that geography plays a role in when drivers get their licenses, with half of teens in large cities obtaining their licenses before the age of 18, compared with nearly two-thirds of those in less urbanized areas, according to AAA.

Midwestern teens tend to get their licenses earliest, with 55% legally driving at or before age 16 and 70% on the road before hitting 18. In the West, nearly one-third of teens got their licenses by age 16 while 48% did so before 18. In the Northeast, only 22.3% were driving at 16, while 56% got their licenses before 18.

Economic concerns still play a role in some teens not getting their licenses earlier, but it is not as significant a factor as before. The AAA survey found68.4% of teens cited nervousness about driving as the reason for not getting licensed sooner, 52.6% said they could do everything they needed without driving, 33.3% said driving was too expensive, while 28.9% said they were too busy to get a license. About 20% said their families were too busy to help them get their licenses.
--Steve Cronin, scronin@opisnet.com

IEA: Global Love of SUVs Could Alter Impact of EVs on Demand, Emissions

Drivers' love of bigger, heavier sports utility vehicles could add nearly million b/d in global oil demand by 2040, wiping out the energy savings from nearly 150 million electric cars, warns a new commentary by the International Energy Agency (IEA).

The commentary notes that the number of SUVs in the global fleet has grown by more than 470% since 2010 and SUVs make up 40% of annual car sales today, compared with less than 20% a decade ago.

"Bigger and heavier cars, like SUVs, are harder to electrify and growth in their rising demand may slow down the development of clean and efficient car fleets," wrote Laura Cozzi and Apostolos Petropoulos, who are energy modelers for the IEA. "The development of SUV sales given its substantial role in oil demand and CO2 emissions would affect the outlook for passenger cars and the evolution of future oil demand and carbon emissions."

The increase in SUV purchases comes even as the global auto industry is rapidly embracing electric vehicles and governments look to EVs to reduce greenhouse gas emissions.

Carmakers plan to offer more than 350 models of electric vehicles by 2025, the IEA said. The agency said annual electric vehicle sales, which were 2 million in 2018, could rise to 20 million vehicles a year by 2030, meaning EVs will comprise nearly 7% of the global car fleet by that year.

Meanwhile, global sales of cars with internal combustion engines fell by around 2% to under 87 million in 2018. The decline was the first since the 2008 recession.

ICE sales also are on track to continue declining in 2019, with such sales in China off by about 14% and about 10% lower in India.

But at the same time, global SUV sales are booming. The number of SUVs in the world has climbed from about 35 million in 2010 to more than 200 million today, according to the IEA.

In 2018, SUVs made up 39% of global car sales, 48% of U.S. car sales, 42% of Chinese car sales, 33% of European car sales and 30% of car sales in India, said the IEA commentary, adding: "The trend is universal."

Because of this growth, SUVs were the second-largest contributor to the increase in global CO2 emissions since 2010, according to the IEA. Only the power sector contributed more, while the vehicles were ahead of heavy industry, trucks and aviation, the agency said.

SUVs use about a quarter more energy than medium-sized cars, contributing to global fuel economy worsening since 2010, even as fuel economy improved in smaller cars and electric vehicle use increased.

"In fact, SUVs were responsible for all of the 3.3 million barrels a day growth in oil demand from passenger cars between 2010 and 2018, while oil use from other type of cars declined slightly," the authors wrote.
--Steve Cronin, scronin@opisnet.com

European Study Supports Need for Chip Payment Cards

In another kudo for chip payment card technology, payment card skimming at ATMs fell to a record low in Europe during the first half of this year, according to the European Association for Secure Transactions (EAST).

Europe has preceded the United States in the drive to adopt Europay Mastercard Visa chip card technology standards, and EAST's most recent finding bolsters the ongoing transition to chip card acceptance across the Atlantic.

EAST reported that card skimming incidents -- in which an unauthorized device is inserted in a payment card terminal to intercept data later used to make counterfeit cards -- dropped to 731 incidents, down year over year from 985.

"This downward trend reflects the success of EMV and that measures to counter skimming at terminals ... are working well in Europe," the group said in an announcement of the results.

In the U.S., payment card networks have imposed an Oct. 1, 2020, deadline for gas stations to adopt chip card technology in the forecourt. Stations that fail to accept chip cards by that time will assume liability for counterfeit card fraud.

All U.S. merchants had to comply with EMV inside the store by Oct. 1, 2015, in order to avoid counterfeit card fraud chargebacks. At the recent NACS show in Atlanta, an expert panel on EMV cited a Visa USA study indicating that from September 2015 through March 2019 counterfeit fraud at EMV-enabled retailers
declined by 87%.

--Donna Harris, dharris@opisnet.com

Trump Administration Shields CITGO From Venezuela's Creditors

The Trump administration has moved to temporarily shield CITGO from being seized by creditors if its parent company doesn't make a $915 million bond payment due Monday.

The move by the U.S. Treasury Department's Office of Foreign Asset Control suspends for three months a loophole in U.S. sanctions on Venezuela that could have led to that country's national oil company losing control of CITGO, its most valuable foreign asset.

The move comes after Venezuela's opposition government and a bipartisan group of U.S. lawmakers had urged the administration to close the loophole, which had originally been viewed as a way of putting pressure on Venezuelan President Nicolas Maduro.

The U.S. backs efforts by efforts by opposition leader Juan Guaido to force Maduro from power following a disputed presidential election and has imposed sanctions on Venezuela and state-owned oil company PDVSA.

While U.S. sanctions would normally prohibit any financial transactions involving Venezuelan assets, the U.S. issued a special license exempting bonds issued by PDVSA that used its shares in CITGO as collateral.

This move was intended to place additional financial pressure on Maduro by forcing him to make the bond payments or risk losing CITGO. But efforts to force Maduro from power continue to drag on, and with the bond payment coming due, Guaido's government warned that losing CITGO and the revenue it generates would hinder efforts to rebuild Venezuela's economy if the opposition ever gains power.

While Maduro has continued to control PDVSA from within Venezuela, Guaido and the opposition government have appointed their own board to operate CITGO in the U.S. Because of this, there were concerns that a forced sale of CITGO would be blamed on Guaido and weaken his efforts. When urging President Donald Trump to issue an order protecting CITGO, the U.S. legislators also warned that failure to do so could lead to Russia's state-owned oil company, Rosneft, gaining control of the company since it, too, had been pledged shares of CITGO as collateral for a loan.

When issuing the temporary suspension, federal officials said the government was "acting to prevent the regime and its corrupt associates from further exploiting Venezuela's people and resources."

In a statement, Guaido said that "thanks to the support of the US Government, and its confidence in our management, we are managing to maintain the assets that the regime looted."

Granting CITGO a 90-day reprieve gives Guaido more time to force Maduro from power and to also renegotiate payment on the outstanding bond.

Reports had indicated the Guaido government had planned to default on the bond and file suit seeking to annul the bond and prevent creditors from seizing CITGO. The report, citing unnamed sources familiar with the plan, said the opposition government planned to argue the bond is not valid since the Venezuelan national legislature did not approve it.

In addition to the threat from bondholders, CITGO is also being targeted by creditors seeking payment on debts and arbitration awards the Maduro government has refused to pay. A U.S. appeals court in September cleared the way for Canadian mining company Crystallex to move ahead with its efforts to force a sale of CITGO assets to collect a $1.4 billion award. The Guaido government contends that the U.S. sanctions would block such a sale.

CITGO operates three refineries in Texas, Louisiana and Illinois with a capacity of nearly 750,000 b/d, as well as product terminals and pipelines. It employs more than 3,500 full-time workers and 1,800 contractors, and there are more than 4,900 independently owned CITGO retail stations.

--Steve Cronin, scronin@opisnet.com

J. Polep Distribution Services Acquired by Private Equity Firm

Palm Beach Capital Fund III LP is growing its investment in the convenience distribution space.

In its recent move, the West Pam Beach-based private equity investment firm made an investment in Consumer Products Distributors LLC, which does business as J. Polep

Distribution Services, and Rachael's Food LLC, collectively known as J. Polep.

J. Polep has been in the distribution business for more than 120 years and over the past several years, the company has expanded product lines to include fresh sandwiches, salads and grocery items and has added programs and value-added services to better service the convenience store retailer, according to the company.

"We are excited about the future growth of J. Polep Distribution Services and our partnership with Palm Beach Capital. Our focus will remain our steadfast dedication to the customers we service and to the products they deliver, with the goal of making sure each of our customers and vendors achieve long-term success," said Eric Polep, president and CEO of J. Polep.

"Business will run as usual at J. Polep and this new partnership with Palm Beach Capital will only enhance our capabilities and unparalleled customer service," he added.

Palm Beach Capital's investment in J. Polep, coupled with its previous investment in Harold Levinson Associates (HLA), creates the fifth largest c-store distributor in the country with a combined $2.7 billion in revenues.

It is now the largest distributor focused exclusively on the northeast United States.

"Knowing that Palm Beach Capital believes in our family culture and the philosophies we carry, has made this partnership extremely reassuring. We believe in the value of commitment to our people, while creating opportunities for our clients, team and the industry, and nothing is going to change that," said Jeff Polep, chairman of J. Polep.

Financial terms were not disclosed.

"Our strategy is to invest in solid management teams and assist them in their long-term strategic growth plans. The management team at J. Polep and the family culture it exemplifies with its customers, vendors and employees, embodies the values that we seek in a partner," said Mike Schmickle, partner at Palm Beach Capital.

"Having made our initial venture into the convenience distribution space in 2014 with our investment in New York-based Harold Levinson Associates, we have identified the industry as one that is uniquely positioned for growth and consolidation," he added. "J. Polep and HLA will both become independent members of our new convenience distribution division and we intend to add additional members in the future."

Founded in 1898, Chicopee, Mass.-based J. Polep Distribution Services is a leading distributor to the convenience and grocery store industry by providing candy; snack items; fresh, frozen and refrigerated foods; cigarettes and cigars; and coffee products to more than 6,000 customers located throughout the Northern United States. The company services its customers from seven strategic distribution and cross-dock centers located in Massachusetts, New Hampshire, Connecticut, New York, Rhode Island and Pennsylvania.

High Number of 7-Eleven Stores Available for Franchise

A national trade group that represents 7-Eleven franchisees said that 7-Eleven is losing franchisees, creating a "glut" of available stores across the country.

Eighteen percent of 7-Eleven stores in the United States are available for franchising, according to the National Coalition of Associations of 7-Eleven Franchisees (NCASEF). The coalition said in a press release that since April 2018, that figure has increased more than 57% to 1,578 from 999.

"There is a reason 7-Eleven has fallen to No. 10 from No. 2 on the list of best franchised businesses," said NCASEF Chairman Jay Singh in the news release. "Leadership has failed to establish a collaborative, transparent way of doing business with its franchise owners. As a result, people are not rushing in to buy available stores."

However, 7-Eleven Inc. attributed the high store availability to recent growth, citing the purchase of more than 1,000 Sunoco stores as well as organic new store growth.

"We now have 1,385 stores available to be franchised," the company said in an email. "That's 185 more stores than this time last year, with 158 of those coming from the Sunoco deal, providing more opportunity for franchisees to grow their business or new entrepreneurs to join the system."

NCASEF said 7-Eleven's management has "continued to ignore requests from franchise owners to create a more transparent relationship."

"The gross margin for franchisees has been slipping, yet 7-Eleven has started taking a bigger portion of the declining gross revenues. The new 2019 franchise agreement calls for a much steeper gross profit split, with a marginal rate as high as 59% in favor of the company, directly hitting high performing stores in California and New York," the coalition said.

"Franchisees are also required to purchase 85% of their products from 7-Eleven's supply chain, which does not guarantee the lowest cost of goods. With the remaining revenue, franchisees must pay labor and maintenance, among other operating costs," the release said.

7-Eleven said that during the past 10 years, the brand has generated more than $15 billion in earnings for franchisees across the country and that franchisee gross income is at an "all-time high."

"The opportunity with the brand is tremendous, as attested by the 4,700 franchisees that signed a new 15-year franchise agreement in the last 12 months and continued robust interest from entrepreneurs looking to franchise with this system," the company said.

NCASEF said that since April of last year, stores owned by a franchisee and put up for sale have increased by more than 95% in California, 39% in New York, 314% in Illinois, 84% in Virginia and 60% in Washington state. Completed sales of franchised stores more than quadrupled from 2013 to 2018, and the turnover of franchised stores due to terminations, non-renewals and abandonments doubled to 314 in 2018 from 150 in 2013, the group said.

7-Eleven did not respond to an inquiry on those figures.
--Donna Harris, dharris@opisnet.com

Marathon to Spin Off Speedway, Review Midstream;

Marathon Petroleum Corp. (Marathon or MPC) plans to separate its retail arm into an independent, publicly traded company, with an expected 2019 EBITDA for Speedway of about $1.5 billion.

The move was one of several announced Thursday by the Findlay, Ohio-based company following recent challenges by activist hedge fund Elliott Management and other large institutional shareholders.

Marathon also said it was evaluating its midstream business for ways to drive shareholder value and announced two retirements. Chairman and CEO Gary Heminger said he planned to retire in 2020 after the annual shareholders' meeting.Executive Vice Chairman Gregory Goff has elected to retire effective Dec. 31, 2019.

Independent Speedway will consist of Marathon's company-owned retail store operations, while the corporation retains its direct-dealer business, with an expected 2019 EBITDA of about $400 million, which is included in the retail segment as currently reported.

"Speedway has delivered leading same-store merchandise growth, fuel margins, and profitability -- and has significant opportunities for further growth,"Heminger said in a statement.

With a potential enterprise value of $15 billion to $18 billion for standalone Speedway, we believe this transaction will unlock significant value for MPC shareholders and form the basis of a compelling value proposition for future Speedway investors."

A special committee of the board will be formed to enhance Marathon's strategic review of its midstream segment. It will analyze the strategic fit of assets with MPC, the ability to realize full valuation credit for midstream earnings and cash flow, and separation costs, among other factors.

Marathon offered no assurance regarding the timing or completion of the Speedway spinoff. The move is dependent on factors such as the macroeconomic environment and credit and equity markets, the statement said. Separation of Speedway won't require a shareholder vote but will be subject to final approval by the MPC board and other customary conditions.

Regarding the changes in leadership, Marathon has appointed a committee to consider internal and external candidates to succeed Gary Heminger. Michael Hennigan, current president of MPLX GP has been appointed CEO of that organization effective Friday.
--Beth Heinsohn, bheinsohn@opisnet.com

**Report: EG Closes on Cumberland Farms;
Ari Haseotes Out as CEO**

EG Group has reportedly closed on its purchase of top c-store chain Cumberland Farms and has replaced Cumberland CEO Ari Haseotes with an executive from EG's Cincinnati headquarters, OPIS is told.

Neither company has made an announcement on the closing and had not responded to OPIS queries by midday Tuesday.

OPIS exclusively reported on the sales process for Cumberland Farms last April, and in July, fast-growing EG Group entered into a binding agreement to purchase the chain. It will give EG some 600 convenience stores and fuel stations across seven Northeastern states and Florida.

EG has taken U.S. and foreign retail markets by storm. The purchase of the Cumberland Farms sites gives EG Group about 1,700 stores across the country in 30 states, with retail sales of over 2.5 billion gal and merchandise sales in excess of $3 billion.

When the deal was announced in July, Zuber Issa, founder and co-CEO of EG Group, said it "is rare that an asset of this quality becomes available and we are delighted to have been successful in a highly competitive process." He also welcomed "the talented team at Cumberland Farms into the EG family."

At the time, Ari Haseotes, president and CEO of Cumberland, said the company looks forward to "becoming part of the EG family, as it is clear that both Cumberland Farms and EG Group share a common vision for excellence in convenience retailing and commitment to investment in our people."

There is no word yet on whether Ari Haseotes will stay on in some capacity. In total, the Cumberland Farms addition will give EG Group about 5,200 sites across Europe, the U.S. and Australia. The company was founded in 2001 by the Issa family and is headquartered in the United Kingdom.
--Tom Kloza, tkloza@opisnet.com

Questions & Answers -- Tank Closures

Question: What is required for a temporary tank closure?
Answer: Continue to perform leak detection; Maintain all corrosion protection; Continue required inspections and record keeping.
Question: What is required If tanks are taken out of service for more than three months,
Answer: You must lock all fill caps and dispensers; Cap and secure all lines, man ways and ancillary equipment; Leave vent lines open.
Question: What is required after 12 months
Answer: The tank must be permanently closed. DEC must be notified at leawst 30 days before beginning permanent closure
Question: What are steps for tank closure.
Answer: Site must be assessed for presence of a release. Empty and clean the tank. Remove the tank from the ground or fill it with an inert solid material. All piping, vent lines

and ancillary equipment must be disconnected and removed."

Bay Drains

Several questions have been asked of the association office on bay drains. Attached is a reminder that bay drains guidelines come from EPA. However, if any government agency make you to change or update your bay drains call the association office
https://www.epa.gov/uic/motor-vehicle-waste-disposal-wells

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.

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 516-371-6201

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

NEW YORK CITY - 10 Employees or Fewer

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

NEW YORK CITY - 11 Employees or More

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

NASSAU, SUFFOLK and WESTCHESTER COUNTIES

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

UPSTATE -- ALL OTHER COUNTIES

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

NYVIP MESSAGE No. 253

DATE: OCTOBER 24, 2019

TO: ALL INSPECTION STATIONS

FROM: NYS DEPARTMENT OF MOTOR VEHICLES

SUBJECT: 2021 STICKER ORDERING NOW AVAILABLE

Below are instructions for ordering next year's stickers.

**PLEASE PRINT A COPY OF THIS MESSAGE AND DELIVER IT TO THE PERSON WHO ORDERS YOUR INSPECTION STICKERS. **

Inspection stickers with an expiration year of 2021 are now available to order.

HOW TO ORDER STICKERS:

To order stickers on the NYS DMV website go to

http://dmv.ny.gov/sticker/default.html

It is your responsibility to order next year's stickers promptly so that you have proper supply on hand by January 1, 2020. Sticker orders are processed in the order received. Please allow 3-4 weeks for processing.

If you have any questions, please contact Sticker Issuance at (518) 474-2398.

NEW YORK STATE | Department of Taxation and Finance

Publication 509
(10/19)

Minimum Wholesale and Retail Cigarette Prices

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

The minimum price enforcement date for this notice is October 28, 2019.

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

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

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

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

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

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

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

New York State (sales outside New York City) — **Minimum sales prices for standard brands***

Manufacturer's list price ** (per carton)	Agent's basic cost (per carton)	Type of sale: Wholesale (per carton) – Agent to wholesale dealers	Wholesale – Agent to chain stores	Wholesale – Agent to retail dealers	Retail sales to the consumer – Retail (per carton)	Retail sales to the consumer – Retail (per pack)
$ 45.44	$ 88.94	$ 89.92	$ 90.48	$ 92.59	$ 99.07	$ 9.91
$ 50.04	$ 93.54	$ 94.56	$ 95.15	$ 97.37	$ 104.19	$ 10.42
$ 50.44	$ 93.94	$ 94.97	$ 95.55	$ 97.79	$ 104.63	$ 10.47
$ 51.54	$ 95.04	$ 96.08	$ 96.67	$ 98.93	$ 105.85	$ 10.59
$ 52.94	$ 96.44	$ 97.49	$ 98.09	$ 100.38	$ 107.41	$ 10.75
$ 54.74	$ 98.24	$ 99.30	$ 99.92	$ 102.25	$ 109.41	$ 10.95
$ 63.28	$ 106.78	$ 107.92	$ 108.59	$ 111.12	$ 118.90	$ 11.89
$ 66.60	$ 110.10	$ 111.27	$ 111.96	$ 114.57	$ 122.59	$ 12.26

New York City (sales within New York City) — **Minimum sales prices for standard brands***

Manufacturer's list price ** (per carton)	Agent's basic cost (per carton)	Type of sale: Wholesale (per carton) – Agent to wholesale dealers	Wholesale – Agent to chain stores	Wholesale – Agent to retail dealers	Retail sales to the consumer – Retail (per carton)	Retail sales to the consumer – Retail (per pack)
$ 45.44	$ 103.94	$ 105.05	$ 105.70	$ 108.17	$ 115.74	$ 11.58
$ 50.04	$ 108.54	$ 109.69	$ 110.37	$ 112.95	$ 120.86	$ 12.09
$ 50.44	$ 108.94	$ 110.10	$ 110.78	$ 113.37	$ 121.30	$ 12.13
$ 51.54	$ 110.04	$ 111.21	$ 111.90	$ 114.51	$ 122.52	$ 12.26
$ 52.94	$ 111.44	$ 112.62	$ 113.32	$ 115.96	$ 124.08	$ 12.41
$ 54.74	$ 113.24	$ 114.44	$ 115.14	$ 117.83	$ 126.08	$ 12.61
$ 63.28	$ 121.78	$ 123.05	$ 123.81	$ 126.70	$ 135.57	$ 13.56
$ 66.60	$ 125.10	$ 126.40	$ 127.18	$ 130.15	$ 139.26	$ 13.93

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

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

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

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

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

Computing the minimum wholesale cigarette prices

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

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

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

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

Percentage (plus 20 cents) of the basic cost of cigarettes per carton (20 cigarettes per pack, 10 packs per carton)	
Agent to wholesale dealers	⅞% plus 20 cents
Agent to chain stores	1½% plus 20 cents
Agent to retail dealers	3⅞% plus 20 cents

In determining the prices for nonstandard brands, remember that an agent may not sell cigarettes to wholesale dealers (as defined in the Cigarette Marketing Standards Act (CMSA)) below the basic cost of cigarettes plus ⅞% and 20 cents per carton (20 cigarettes per pack, 10 packs per carton). An agent or wholesale dealer may not sell cigarettes to a registered chain store below the basic cost of cigarettes plus 1½% and 20 cents per carton (20 cigarettes per pack, 10 packs per carton). An agent or wholesale dealer may not sell cigarettes to a retail dealer below the basic cost of cigarettes plus 3⅞% and 20 cents per carton (20 cigarettes per pack, 10 packs per carton).

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

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

If an agent sells cigarettes to a chain store with 15 or more outlets (excluding vending machine operators), the cigarettes are delivered to a central warehouse owned and operated by the chain store, and the chain store delivers the cigarettes to its outlets, the agent's selling price is not required to include the cost of doing business by the agent (that is, the agent's presumptive 1½% plus 20 cents minimum markup is not required). However, the price may not be less than the basic cost of cigarettes.

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

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

Computing the minimum retail cigarette prices

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

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

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

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

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

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

Need help?

Visit our website at ***www.tax.ny.gov***
- get information and manage your taxes online
- check for new online services and features

Telephone assistance

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

If You 'Ban' Menthol Cigarettes,
They'll Disappear From Our Stores,
But *Not* From the Streets of New York!

To the Honorable Members of the New York City Council:

Representing thousands of neighborhood retailers across the City of New York licensed to responsibly sell legal tobacco products to adult customers, our associations unite in opposing Introduction 1345-2019, the proposed menthol cigarette ban.

New York City is already the nation's cigarette bootlegging capital. Introduction 1345-2019 would make this problem even worse by thwarting public health objectives, draining untold millions of dollars in tax revenue, and depriving licensed retailers of legitimate, age-verified sales.

Statutorily banning the sale of menthol cigarettes would be like commanding the tide to stop coming in. The enormous demand – about one-third of total cigarette consumption nationally – has existed for generations, and menthol smokers would be undeterred in finding alternate sources of the product.

It is widely known that hundreds of thousands of New York City smokers routinely buy cigarettes from trunk slammers, street peddlers, and criminal entrepreneurs who smuggle them in, largely, from lower-tax states down the I-95 corridor. The Mackinac Center for Public Policy describes New York as a smuggler's paradise, documenting that 56 percent of all cigarettes are purchased outside of regulated channels.

Given the pervasiveness of this illegal trade, the choice here is not between making menthol cigarettes available or unavailable. It's between having them sold in a licensed, taxed, age-verified environment like our stores, or having them sold out on the street without any licensing, tax collection, or age verification whatsoever.

Please don't hand the other 44 percent of New York's cigarette trade to the bootleggers. Please don't drive smokers of menthol cigarettes to the unlicensed, unregulated, untaxed side of the street. Please don't cripple mom-and-pop businesses and hinder continuing efforts to curtail tobacco use. We respectfully urge you to vote no on Introduction 1345-2019.

KAGRO New York
Korean American Grocer's Association of NY

ASOBEU
Asociacion de Bodegueros de los Estados Unidos, Inc

New York City Newsstand Operators Association

New York State Association of Service Stations and Repair Shops, Inc
We do better together!

AARA
Asian American Retailers Association

جمعية التجار اليمنيين الأمريكيين
Yemeni American Merchants Association
Many Players, One Soul
لاعبون كثر، روح واحده

NYACS
New York Association of Convenience Stores

UPDATED
Memorandum

United States Environmental Agency regulations referring to refrigerant for motor vehicle air conditioners (MVAC).

EPA has amended some of the regulations in regard to the use of refrigerant to repair motor vehicle air conditioning. The association was concerned with the regulations and inconsistency with the type of refrigerant that is used. We wrote a letter to EPA and asked the questions about the regulations and they responded with a letter (see attached). The summary of their response are as follows:

EPA regulation pertaining to the sale and restrictions on certain types of refrigerants to be offered for sale or to be distributed.

Class I or Class II are substances that are suitable for use as a refrigerant in motor vehicle air conditioning and containers which contain less than 20 pounds of refrigerant.

Most refrigerants may not be purchased in containers of 20 pounds or more unless the person is properly trained under EPA regulations. There are restrictions that apply to HFC-134a or HFO-1234yf due to the fact that these refrigerants are non-depleting; they are not under similar restrictions as R-12.

Broader sales restrictions under the regulation covers the sale of substitute refrigerant such as HFC-134 or HFO-1234yf with the exception of small cans of MVAC refrigerant.

The regulation states that non-exempt substitute refrigerant such as HFC-134 and HFO-1234yf is intended for use in MVAC and is sold in containers designed to hold 2 pounds or less of refrigerant, has a unique fitting, if manufactured or imported on or after January 1' 2018, and has a self-sealing valve that complies with the requirements of the regulations. These refrigerants are exempt from the requirement of regulations and may be purchased by individuals not using it to repair a vehicle in which the repair is paid for.

Small cans containing 2 pounds or less of substitute refrigerant can be sold to individuals servicing their own vehicle without a Clean Air Act Certification so long as the small cans have a self-sealing valve to reduce refrigerant release to the atmosphere.

Section 609 of the Clean Air Act includes a statutory requirement that prohibits persons servicing MVAC for consideration without a certification.

Anyone servicing an MVAC must be certified under the Clean Air Act unless the service is done for free.

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

6 Walker Way, Albany, NY 12205
state@nysassrs.com

(518) 452 1979
Fax: (518) 452-1955

August 19, 2019

To: Andres Wheeler, Administrator,
US Environmental Protection Agency

From: Ralph Bombardiere, Executive Director
NYS Association of Service Stations & Repair Shops

Regarding: Motor Vehicle Air Conditioning Repair

The repair shop industry throughout the country is trying to accommodate EPA regulations, rules, and guideline to legally repair motor vehicle air-conditioners. The requirements along with the expense of equipment are cumbersome and confusing. We are doing our best to comply but do not fully understand EPA's position which permits individuals to purchase the refrigerants without a federally approved certification. The latest product is 1234YF.

It is our request that EPA review these non-certified purchases and prohibit sales to the "do it yourself" motorist. We believe it permits an individual without certification to compete with those who are legally certified.

We respectfully request a review of the regulation and to determine that this practice has an adverse impact to the atmosphere.

Listed below is the regulation and the requirements as we understand them to be. We would appreciate a response to this letter and a contact person we can communicate with that can answer additional question and/or to clarify concerns.

- Freon 12 is restricted to 20lb cans only be sold to certified technicians.
- HFC-134a and HFO-1234yf can be sold in any amount to certified technicians,
- HFC-134 and HFO-1234F can be sold up to 2lbs to DIYers, but cannot be sold to uncertified technicians.

Refrigerant Sales Restriction -

Under EPA regulations, only EPA-certified technicians may purchase refrigerants. Beginning January 1, 2018 this extended to non-ozone depleting refrigerants like HFCs and HFOs except small cans (fewer than 2 pounds) of substitute refrigerants (e.g., HFC-134a) sold to DIY-ers for servicing MVACs.

- Section 608 technician certification is required to purchase ozone depleting or, non-exempt substitute refrigerants, such as HFC refrigerants.

- Section 609 technician certification is required to purchase CFC-12 or EPA approved substitutes for MVACs containing an ODS

- Section 609 technicians cannot purchase HCFC-22 in any size container.

Ozone-Depleting Refrigerants: Sales Restrictions & Recordkeeping Requirements –

- The sale or distribution of any refrigerant containing ozone-depleting CFCs or HCFCs is restricted to technicians certified under section 608 or section 609 of the CAA.

- CFC-12 in a container of less than 20 pounds may only be sold to technicians certified under section 609.

- Any person who sells or distributes CFC-12 in containers less than 20 pounds must verify that the purchaser has obtained certification by an EPA-approved section 609 technician training and certification program.

- An exception to these requirements is when small containers are purchased for resale only. In this case, the seller must obtain a written statement from the purchaser that the containers are for resale only. The statement must include the purchasers name and business address. Records must be maintained for 3 years.

In all cases, the seller must display a sign where sales occur stating the certification requirements for purchasers.

Respectfully submitted:

New York State Association of Service Stations & Repair Shops
6 Walker Way
Albany, NY 12205

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

October 1, 2019

OFFICE OF
AIR AND RADIATION

Mr. Ralph Bombardiere
Executive Director
New York State Association of Service Stations & Repair Shops
6 Walker Way
Albany, New York 12205

Dear Mr. Bombardiere:

Thank you for your August 19, 2019, letter to U.S. Environmental Protection Agency (EPA) Administrator Andrew Wheeler regarding the sale of refrigerant for motor vehicle air conditioner (MVAC) servicing. The Administrator asked that I respond on his behalf.

We understand that you are concerned about the sale of refrigerant to uncertified technicians. As you note, EPA regulations at 40 CFR §82.34(b) contain a sales restriction stating that "no person may sell or distribute, or offer for sale or distribution, any class I or class II substance that is suitable for use as a refrigerant in [a] motor vehicle air-conditioner and that is in a container which contains less than 20 pounds of such refrigerant to any person unless that person is properly trained and certified under §82.40 or intended the containers for resale only, and so certifies to the seller under §82.42(b)(3)." This sales restriction does not apply to HFC-134a or HFO-1234yf, because these refrigerants are not ozone-depleting and are therefore not class I or class II substances. However, the broader sales restriction at §82.154(b) covers sales of substitute refrigerants such as HFC-134a or HFO-1234yf with an exception for small cans of MVAC refrigerant where:

> The non-exempt substitute refrigerant [such as HFC-134a and HFO-1234yf] is intended for use in an MVAC and is sold in a container designed to hold two pounds or less of refrigerant, has a unique fitting, and, if manufactured or imported on or after January 1, 2018, has a self-sealing valve that complies with the requirements of paragraph (c)(2) of this section.

This allows for the sale of small cans, containing two pounds or less, of substitute refrigerant to individuals servicing their own vehicles without a Clean Air Act section 609 certification, so long as the small can has a self-sealing valve to reduce refrigerant releases to the atmosphere. A detailed discussion on EPA's reasons for extending the sales restriction to substitute refrigerants and creating the above exception for small cans of MVAC refrigerant, including consideration of atmospheric effects, can be found at 81 FR 82306.

In 2018, EPA issued another proposal focused on rescinding the extension of the leak repair requirements for large appliances that contain substitute refrigerants. (83 FR 49332). That proposal requested public comment on several other issues, including potentially rescinding the sales restriction for substitute refrigerants. The public comment period for that proposal has closed and we are preparing a final rule based on comments.

In addition to the requirements noted above, Section 609 of the Clean Air Act includes a statutory requirement that prohibits persons servicing MVACs for consideration without certification. (40 CFR §82.34(a) and 82.161(a)(vi)). In other words, anyone servicing an MVAC must be certified under Clean Air Act section 609 unless the service is done for free. If you are aware of violations of Clean Air Act section 608 or 609 requirements, please report the violation at https://echo.epa.gov/report-environmental-violations.

Again, thank you for your letter. I appreciate the opportunity to be of service and trust the information provided is helpful. If you have any further questions about the refrigerant sales restriction, please contact Sara Kemme at Kemme.Sara@epa.gov or at (202) 566-0511.

Sincerely,

Anne L. Idsal

Anne L. Idsal
Acting Assistant Administrator

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

PROPERTY FOR SALE

LOCATED ON AVENUE U IN
MARINE PARK, BROOKLYN
60'X100' CORNER PROPERTY
ZONED R-4 WITH A VARIANCE FOR
AUTOMOTIVE REPAIRS
ASKING $1.795 MILLION

INTERESTED PARTIES
PLEASE CONTACT WAYNE AT THE GASDA OFFICE
516-371-6201 EXT.101
OR ERIC BEHM AT 516-493-7236

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

GASDA
Legal Service Plan

GASDA'S legal plan provides for consultation services and representation at hearings. The following are included:

- Representation at one small claims proceeding or one administrative hearing per year. Requests for representation must be received at the association's office 20 days prior to the hearing date.

- One-hour consultation on any single issue relating to a member's business.

- Small claims proceeding ONLY. The first two court appearances are covered under the plan. The third and all subsequent appearances are not covered. If the member wants continued representation, the appearance fee is $375 per appearance.

- The legal service attorney will provide legal representation or consultation to GASDA members at the rate of $185 per hour for any issue not included in the legal service plan.

In order to be eligible for Group Legal Service representation, a member's dues in full and all obligations to the Association must be current. For additional information, please call the GASDA office at:

516-371-6201

CIGARETTE SALES TO MINORS
CLERK CERTIFICATION

<u>COMPLIANCE .WITH THE NEW STATE CERTIFICATION OF CLERKS WHO SELL TOBACCO PRODUCTS</u>

<u>CERTIFICATION OF A CLERK WHO SELLS TOBACCO PRODUCTS</u>
<u>*POINT REDUCTION CLASS*</u>

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
372 Doughty Blvd, Suite 2C
Inwood, New York 11096

WHEN:

The First Monday of every month at 2:00 PM
The Second Wednesday of every month at 10:00 AM

COST:

MEMBERS: $15.00 - NON-MEMBERS $30.00

PLEASE CALL FOR RESERVATIONS AT (516) 371-6201

SPONSORED BY: GASDA/LIPDRA

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

AutoPass Private Label Credit Card Program

Why Choose CFNA?

Private label credit cards offer consumers a dedicated line of credit for a merchant's products and services. Private label credit cardholders shop more often and spend more on each visit.

Who is CFNA

Credit First National Association (CFNA) is a limited purpose federally chartered private label credit card bank, wholly owned by Bridgestone Retail Operations, LLC. CFNA issues private label credit cards for thousands of automotive retailers throughout the United States.

Card Benefits

The AutoPass card is now the preferred private label credit card for NYASSARS Merchants. Consumers can use the AutoPass card for the purchase of parts, services, accessories and tires.

The AutoPass Program provides:

- Instant credit decisions at the point of sale and online
- Brand impact for every Merchant and their business name is embossed on every card opened
- Generous consumer credit limits
- High customer approval rating
- No annual fees for consumers
- No initial set up fee
- No minimum monthly sales volume required

When

As of July 1, 2015, The AutoPass credit card, issued by CFNA is the preferred private label credit card for NYASSARS Merchants.

In store advertising collateral

Interested in offering AutoPass and ready to get started? Contact CFNA today at 800.527.6770 or sales@cfna.com

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 **<u>AT LEAST ONE YEAR OF MOTOR VEHICLE REPAIR EXPERIENCE</u>** 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

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.

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