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INSIDE THIS ISSUE

- 1 *Check Out Our New Website*
- 1 *Petroleum Business Tax Decrease*
- 1-2 *Higher 'Fast Food' Min Wage Effective 12/31*
- 2 *NYVIP2 Message No. 215*
- 2-3 *Americans Saved More Than \$115B On Gas In 2015*
- 3 *Crude Oil Prices To Remain Low Wildly Bearish Gasoline Numbers Overshadow All Other Stats*
- 3-4 *Gulf Purchase Completed -- Announcement*
- 4 *Sunoco Buys Another Distributor*
- 4-5 *Repeal Of Oil Export Ban, Spending Bill Sails Through House Vote*
- 5 *Petroleum, Business Groups To Sue EPA For Stricter Ozone Standards*
- 6 *Exxon Seeks Court Approval to Use Esso Name Again*
- 6 *Judge Will Consider Salt Warning For NYC Chain Restaurant*
- 6 *U.K. Approves E-Cig Prescriptions To Assist With Smoking Cessation*
- 6-7 *NYS Completes Skimmer Crackdown*
- 7-8 *How To Prevent Skimming At The Pump*
- 8 *Two California C-Stores Ban Pennies*
- 8 *Proposed SNAP Requirements Expected In Early 2016*
- 8 *Treasury And IRS Announce Extension Of ACA Reporting Requirements*
- 8-9 *House Passes a Pair of Anti-Regulatory Bills*
- 9 *Trucking Agency Withdraws Safety Compliance Labeling Requirement*
- 9 *DOT Customs Information Can Now Be Submitted Electronically*
- 9 *Requirements For Public Deployment Of Autonomous Vehicles*
- 9-10 *Technician Talk*
- 10 *Because You Asked*
- 10 *DMV Record Retrieval*
- 10 *Attention Inspection Stations*

Check Out Our New Website

GASDA is pleased to announce its new website www.GASDA-NY.com. Come, check out the website, where you can read our newsletter online, get training links, register for the trade directory and more.

Petroleum Business Tax Decrease

Effective January 1, 2016 the petroleum business tax on gasoline decreased from 17.8 cts/gal to 17.0 cts/gal. On diesel it dipped from 16.05 to 15.25 cents per gallon.

Higher 'Fast Food' Min Wage Effective 12/31

Taking effect Thursday, December 31st is the Governor Cuomo's ridiculous new "Fast Food Minimum Wage Order." It requires "Fast Food Workers" to be paid \$10.50 in New York City and \$9.75 an hour in the rest of the state.

Generally, most convenience stores will be exempt, the result of NYACS repeatedly pointing out to the Fast Food Wage Board and the Labor Department that food service is part of a convenience store's business, not its primary business.

However, chain food service franchises (i.e. Subway, Dunkin Donuts, Tim Hortons) inside a convenience stores are captured. Even if you only have one store, and it contains a Subway, that Subway is subject to the Fast Food Minimum Wage because Subway has 30 or more locations nationally.

The presence of a Subway or other QSR, whether operated by the store itself or by a tenant under a lease, does not require you to pay employees who work elsewhere in your store the Fast Food Minimum Wage.

Still unanswered, however, is how stores that operate the chain food service franchise themselves are supposed to compensate employees whom they routinely switch back and forth between the store side (non-fast-food) and the Subway side (fast-food). Obviously, it would be awkward to pay the same worker one hourly wage over here and another over there. NYACS will continue to seek clarification.

But part of the answer may lie in existing Labor Department wage-and-hour practices. Typically, the Department has held that if an employee works any part of their shift in a higher-paying job, they must be paid that higher rate for the entire shift. We are not aware of any comparable policy for day-to-day or week-to-week changes in assignment, but again, we will need clarification.

Until these issues are clarified, consider assigning certain employees to the food service franchise exclusively if feasible, or else assume that whenever an employee is

assigned to the food service franchise for any part of a shift, he/she will be paid the Fast Food Wage for the entire shift.

NYVIP2 Message No. 215

NYVIP2 Software Update Date: 1/6/2016

TO: ALL INSPECTION STATIONS FROM: OPUS INSPECTION INC

SUBJECT: NYVIP2 SOFTWARE UPDATE

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

A NYVIP2 software update to version 15.10.01 will be rolled out to all Emissions Inspection Stations beginning this week. Rollout to all inspection stations is expected to take approximately one week.

1.) SOFTWARE IMPROVEMENTS

- A.) After the update to 15.10.01, your OBDII scan tool will receive an important firmware update during the first successful OBD inspection. You will be notified on screen that a scan tool firmware update is in progress. A white screen will appear after the OBDII countdown. Do not unplug or reboot the NYVIP2 unit. This update will only occur during the first OBDII inspection. Please wait until the firmware update completes before proceeding.
 - B.) The "Inspection Certificate/Inventory Report" and the "End of Year Inspection Certificate Report" will be activated.
 - C.) On-line inspection sticker ordering and facility license renewal is now available. Go to Station/Facility Menu – Utilities Menu - Documents and Information.
- #### **2.) UPDATE INSTRUCTIONS FOR DIAL-UP STATIONS**
- If your analyzer communicates using a dial up connection, you must leave the analyzer powered on overnight on the Main Menu with the phone line connected. Updates received via dial up connection begin at midnight when the phone lines are less congested. For dial up stations, your NYVIP2 unit will automatically reboot and install the new software when it is made available to your station. Please check the version indicated at the Main Menu in the upper right corner upon starting your NYVIP2 unit. The new version should be 15.10.01. NOTE: Software updates using dial-up connections will take longer. How long it will take depends upon your phone line performance and connection. We recommend that you check your phone service contract and understand charges you will incur due to long connection periods that are common with NYVIP2 software updates.
- #### **3.) UPDATE INSTRUCTIONS FOR BROADBAND STATIONS**
- For broadband stations, the update will download automatically. Once new software is released by Opus, your NYVIP2 analyzer (when connected on broadband) will receive the update anytime it is powered on. Once the update is received, a message will display on your system stating: "A software update has been downloaded and is ready to install on this unit.

Estimated time to complete the update process is less than 5 minutes. Proceed with update?" You must select YES to install the update on your analyzer. If you have any questions please call Opus at 1-866-OB-D-TEST (623-8378).

Americans Saved More Than \$115B On Gas In 2015

The national average price of gas in 2015 was \$2.40 per gallon of regular gasoline, the second-cheapest annual average for the past 10 years, according to the AAA Year-End Gas Price Report. The year's annual average was also approximately 94 cents per gallon less than 2014.

Over the course of the year, AAA estimates that Americans saved more than \$115 billion on gasoline compared to 2014, which was an average of more than \$550 per licensed driver. In recent years, the annual average price of gas was \$3.34 (2014), \$3.49 (2013), \$3.60 (2012), \$3.51 (2011), \$2.78 (2010) and \$2.35 (2009).

The most expensive day of the year was June 15, when the daily national average was \$2.804 per gallon, and the least expensive was Dec. 21, when it was \$1.998 per gallon. Average gas prices dropped below \$2 per gallon on Dec. 21 for the first time since March 25, 2009.

The average price of diesel in 2015 was \$2.71 per gallon, which was the lowest average for the fuel since 2009. In 2014, diesel averaged \$3.81 per gallon.

The average price of premium gasoline was \$2.84 per gallon, 87 cents per gallon less than 2014. The average difference between regular and premium was 44 cents per gallon in 2015, marking the largest difference on record.

Overall, fuel prices remained relatively low throughout 2015 due to a worldwide glut in crude oil, which was more than enough to meet demand and allowed oil prices to drop to their lowest levels since 2009.

The current national average price of gas was \$2 per gallon as of Dec. 31, which was the lowest average for New Year's Eve since 2008. This was also approximately 26 cents less than one year ago. For the month of December, the national average was \$2.01 per gallon, which was the lowest monthly average since March 2009.

In most parts of the country, gas prices are currently lower than \$2 per gallon, and about 71 percent of U.S. gas stations are selling gas for less than \$2 per gallon. Drivers can find at least one gas station selling gas for less than \$2 in 47 states.

The cheapest 1 percent of gas stations are selling gas for an average of \$1.56 per gallon, and more than 16,000 gas stations across the United States are selling gas for less than \$1.75 per gallon.

The five states with the lowest average prices include Missouri (\$1.72), Oklahoma (\$1.75), South Carolina (\$1.75), Arkansas (\$1.75) and Tennessee (\$1.76), while the five states with the highest prices include California (\$2.85), Hawaii (\$2.69), Nevada (\$2.51), Washington (\$2.47) and Alaska (\$2.47).

For the first time on record, drivers in California had the most expensive annual average for any state in 2015 due to

problems at the state's refineries that disrupted regional production. Its annual average was \$3.16 per gallon. Prices in Southern California were particularly high. The next most expensive states for gasoline in 2015 were Hawaii (\$3.10), Alaska (\$2.97), Nevada (\$2.86), Washington (\$2.73) and Oregon (\$2.68). Still, while it paid relatively high prices throughout the year, California's average was still 59 cents per gallon less than 2014 due to the relatively low cost of crude oil, AAA found.

Hawaii has typically been the most expensive state for gasoline since 2000, and its average was the highest for 13 of the previous 16 years. Alaska had the highest average in 2008 and 2009.

South Carolina saw the cheapest annual average price of gas for the fourth year in a row at \$2.10 per gallon, which was also the lowest annual average since 2004. Drivers in the state paid about \$1 less during the year than in 2014. The next lowest gas prices were also in the Southeastern U.S.: in Mississippi (\$2.14), Alabama (\$2.15), Tennessee (\$2.16) and Louisiana (\$2.18). The region benefited from relatively low gasoline taxes and access to abundant refinery along the Gulf Coast.

Gas prices will likely remain relatively low in 2016, with the annual average price estimated to be between \$2.25 and \$2.45 per gallon, according to AAA.

Based on typical seasonal trends, the national average could remain relatively flat or drop another 10 cents per gallon over the next few weeks. By late winter, it could increase 50 cents per gallon or more as refineries conduct seasonal maintenance to prepare for the summer driving season. However, AAA does not expect the national average price of gas to rise above \$3 per gallon in 2016.

Regional gas prices will continue to vary dramatically in 2016. Problems with local refinery production, especially during spring maintenance and the summer driving season, could temporarily push regional gas prices higher than the national average, and as in 2015, some areas could see prices higher than \$3 per gallon.

Crude Oil Prices To Remain Low Through 2017

The U.S. Energy Information Administration (EIA) released the first Short-Term Energy Outlook (STEO) on January 12 that includes projections for 2017. According to the STEO, forecasts for Brent crude oil prices will average \$40 per barrel (b) in 2016, and \$50/b in 2017. West Texas Intermediate (WTI) crude oil prices are expected to be \$2/b lower than Brent in 2016, and \$3/b lower than Brent in 2017.

EIA recognizes that there is still high uncertainty in the crude oil price outlook. For example, the administration's forecast for the average WTI price in April 2016 is \$37/b, while the market expects WTI prices to range from \$25/b to \$56/b based on the recent prices of futures and options contracts for April 2016 delivery.

Crude oil prices are expected to remain low as supply continues to outpace demand in 2016 and more crude oil is placed into storage. EIA estimates that global oil inventories increased by 1.9 million b/day in 2015, marking the second

consecutive year of inventory builds. Inventories are forecast to rise by an additional 0.7 million b/d in 2016, before the global oil market becomes relatively balanced in 2017. The first forecasted draw on global oil inventories is expected in the third quarter of 2017, marking the end of 14 consecutive quarters of inventory builds.

Changes in non-OPEC production are driven by changes in U.S. tight oil production, which is characterized by high decline rates and relatively short investment horizons that make it among the most price-sensitive production globally. The forecast of total U.S. liquid fuels production shows a decline by 0.4 million b/d in 2016 and remains relatively flat in 2017, as low oil prices contribute to drilling rig counts falling below levels required to sustain current production rates.

OPEC crude oil production is forecast to increase by 0.5 million b/d in 2016, with Iran accounting for most of that increase. Iran is expected to increase its production once international sanctions targeting its oil sector are suspended. Although uncertainty remains as to the timing of sanctions relief, EIA assumes this occurs in the first quarter of 2016. EIA's timing reflects Iran's progress in meeting key obligations required under the Joint Comprehensive Plan of Action; and it has been faster than previously anticipated.

EIA also expects global consumption of petroleum and other liquid fuels to grow by 1.4 million b/d in both 2016 and 2017. The forecast of real gross domestic product (GDP) for the world, weighted by oil consumption and which increased by an estimated 2.4% in 2015, rises by 2.7% in 2016 and by 3.2% in 2017.

Wildly Bearish Gasoline Numbers Overshadow All Other Stats

Data released by the EIA in the last few minutes were decidedly bearish and that has hammered the market as RBOB futures have dropped by nine cents or so while other futures markets are down sharply as well.

The gasoline demand figure has been a big factor in the gasoline sell-off. According to the EIA report for the week ending January 1, 2016 gasoline demand was estimated at 9.159 million b/d, the lowest one-week reading since Valentine's Day week 2014.

The soft demand lead to a huge build in gasoline inventories of 10.1 million bbl, even as production was down by about a million bbl. Every PADD in the US saw gasoline stocks build last week including 900,000 bbl going into West Coast storage.

Under other circumstances the distillate build of 6.3 million bbl may be getting more attention. However, with the gasoline numbers shocking the market, the distillate data takes a back seat. Besides the large build in inventories, distillate demand as measured by the EIA came in at 3.034 million b/d, a porous number but not uncommon for the end of a year and beginning of the next. In fact last week's distillate demand figure is slightly better than last year's. About 10 minutes after the report was issued, February ULSD futures were down more than 4.5cts at \$1.0795/gal.

Crude oil inventories dropped by a little over 5 million bbl last week. Oil output remained on firm footing bumping up slightly to 9.219 million b/d. Imports were down a week at a little over 7.5 million b/d. With lower imports, most of the draw in the US was on the Gulf Coast. With weakness elsewhere in the market, February WTI futures are down about \$1.50 at \$34.43/bbl and just slightly above the lows seen earlier in the day.

Oil and refined product futures were down just before the inventory report, but the contracts were coming off of the earlier lows. WTI was trading just below \$35/bbl and Brent just above it. Meanwhile RBOB futures were off by nearly 6.5cts and ULSD down about 2.5cts.

OPIS will take an in-depth look at the inventory statistics later this morning.

--Denton Cinquegrana, dcinquegrana@opisnet.com

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Gulf Purchase Completed -- Announcement

To Our Valued Customers,

We are pleased to announce that on Tuesday, December 29, 2015, Chelsea Petroleum Products Holdings, LLC, an affiliate of ArcLight Capital Partners, LLC ("ArcLight"), completed the purchase of Gulf Oil Limited Partnership ("Gulf"). We feel it is important to communicate this directly to you – our valued customer. There will be no immediate effects to you and your company at this time. There will be no change in the level of services provided, and your key contacts at Gulf will remain the same.

Your primary contact at Gulf can also answer any questions you may have regarding your current business relationship, this announcement, and future business opportunities. Additional information will be forthcoming as we transition to new ownership.

We are excited about this Transaction and the future opportunities it will bring. We look forward to our continued relationship with you and your company.

About ArcLight Capital Partners, LLC

ArcLight is one of the leading private equity firms focused on North American and Western European energy assets. Since its establishment in 2001, ArcLight has invested over \$13.9 billion across multiple energy cycles in more than 90 investments. Headquartered in Boston, MA with an additional office in Luxembourg, the firm's investment team brings extensive energy expertise, industry relationships, and specialized value creation capabilities to its portfolio. More information about ArcLight, as well as a complete list of ArcLight's portfolio companies, can be found at <http://arclightcapital.com>.

Sunoco Buys Another Distributor

Sunoco today closed on the purchase of the wholesale assets of longtime Northeastern distributor Alta East, for approximately \$57 million plus the value of inventory.

Alta East distributes approximately 55 million gallons per year of branded and unbranded gasoline, including a

substantial portion of Sunoco sites. A Sun subsidiary will acquire a total of 32 fee and leased properties, including 30 sites operated by third-party dealers or commission agents, and two sites that are not currently operating. The deal also gives Sunoco a number of supply contracts with the dealer-owned and -operated sites.

Sunoco has been on an expansion kick since the company was spun off as a master limited partnership, and has a presence in 30 states. It has particularly high concentration of properties in the Northeast thanks to the longtime legacy of the brand in the region.

--Tom Kloza, tkloza@opisnet.com

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Repeal Of Oil Export Ban, Spending Bill Sails Through House Vote

Both houses of Congress on Friday approved the repeal of the 40-year ban on exports of U.S. crude oil, attached to the \$1.1 trillion spending bill and \$680 billion tax package, which will send the legislation to the White House.

Solid support was seen in the yeas votes cast in both the House of Representatives (316 to 113) and the Senate (65 to 33).

The White House signaled earlier this week that President Obama would not oppose the omnibus legislation funding federal government spending through September 2016 and the tax package headed his way.

The oil industry cheered Congress for putting energy needs ahead of politics.

"Lifting this ban will help put downward pressure on gas prices, create jobs, grow our economy and lower our trade deficit," American Petroleum Institute President and CEO Jack Gerard said. "With the administration's push to allow Iran to export its oil to the global market, it's time for U.S. producers to have the same opportunity. Our allies around the world are eager to reduce their reliance on energy from less friendly nations," he said in a statement.

In return for supporting the repeal advocated by Republicans, Democrats secured longer-term wind and solar tax credits, renewable tax credits and economic relief for domestic refiners affected by unfettered flow of crude oil from U.S. shores.

In place of Sen. Tom Carper's (D-Del.) proposed \$3/bbl tax credit for East Coast refiners, lawmakers expanded Section 199 tax deductions to allow independent refiners an extra deduction of 75% of the cost of transporting crude to the refinery from 2016-2021.

Tudor Pickering Holt's analysis is that the benefit is small. "Assuming average crude transportation costs of \$1-\$5/bbl and a tax rate of 35% results in a typical net income increase of only +\$0.05/bbl, which equates to an EPS increase of +1 to +5% on 2016 consensus figures," the bank's analysts wrote. In their judgement, PBF Energy would be the biggest beneficiary, with a plus 5% bump to 2016 EPS.

It should be noted as well that the House version of the bill maintains the president's emergency powers regarding

oil exports and includes other provisions that might allow future restrictions on outbound shipments.

Unfolding market analysis of U.S. crude oil's new ability to compete head to head in the global market continues to see little short-term impact.

As noted by Barclays late Thursday, the recent narrowing in the Brent-West Texas Intermediate spread (currently plus 75cts/bbl for February) has gutted the incentive to invest in more light oil processing capacity. "The removal [of the ban] is likely to lead to more situational crude exports rather than marked increases in excess of existing crude and lightly processed flows to Canada, Mexico and Latin America," the bank's analysts wrote.

U.S. crude oil production, which has lately been plateauing at about 9.2 million b/d, is expected to decline in 2016 and perhaps even in 2017. "Combined with new processing capacity completions, this means that a sustained premium for WTI and LLS to Brent might emerge next year."

--Beth Heinsohn, bheinsohn@opisnet.com

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Petroleum, Business Groups To Sue EPA For Stricter Ozone Standards

A coalition of industry groups will join the growing list of lawsuits filed against EPA's new proposed stricter ozone standards.

EPA is caught in the middle of a tussle between environmental and petroleum groups. Not everyone is happy with EPA's final rule issued in October on lower ozone standards. Petroleum groups and some states are suing EPA for lowering the ozone standards, while environmental groups are also suing EPA, but for not lowering ozone standards enough.

The U.S. Chamber of Commerce said that it will file a joint petition with other national business groups for review in the U.S. Court of Appeals for the D.C. Circuit on Wednesday to challenge EPA's rule lowering the National Ambient Air Quality Standard (NAAQS) for ground-level ozone to 70 parts per billion (ppb).

The Petroleum Marketers Association of America (PMAA) said that this coalition is led by the Chamber of Commerce and the National Association of Manufacturers (NAM). Joining the Chamber and NAM was the American Coke & Coal Chemicals Institute, American Fuel & Petrochemical Manufacturers, American Petroleum Institute, Independent Petroleum Association of America, National Oilseed Processors Association, Portland Cement Association, and Utility Air Regulatory Group.

"The EPA set an unattainable mandate with this new ozone standard that will slow economic growth opportunities," said William Kovacs, senior vice president, Environment, Technology & Regulatory Affairs for the Chamber of Commerce.

"This new standard could halt progress in communities across the country as businesses are forced to slow

expansion plans and outside development looks to other regions. The EPA has created a web of regulations that makes it almost impossible for businesses to succeed in this already tough economic climate," he said.

Through no fault of their own, many communities have yet to meet EPA's 2008 ozone standard, making it almost impossible for them to realistically meet the new standard unless they make painful decisions that the public will likely not accept, said Karen Harbert, president and CEO of the U.S. Chamber's Institute for 21st Century Energy.

She said that the EPA's new rule has "moved the goalposts" on states and communities working to achieve the 2008 rule.

Moreover, numerous areas with growing populations and high levels of background ozone simply have no means of complying, and will be unfairly punished by EPA as a result, Harbert said.

Conversely, environmentalists believe the new ozone mandate is not low enough, and they also sued EPA today urging for a lower standard, according to PMAA.

The environmental groups suing are the Sierra Club, Physicians for Social Responsibility, West Harlem Environmental Action, Appalachian Mountain Club, and the National Parks Conservation Association. They are represented by Earthjustice.

Earlier this year, five states, led by Arizona, sued EPA over the new ozone standard, claiming it would push too many counties into nonattainment.

In October, EPA set the new ozone standard at 70 parts per billion (ppb), a reduction from the 75-ppb level set in 2008. Although the 70-ppm standard is not as low as many feared and is considered a compromise between industry and environmental interests, the ozone final rule still places a burden on some counties which could mean RFG and lower RVP fuels, PMAA said.

PMAA opposed lowering the ozone standard in written comments to the White House and continues to support legislation to roll back the new ozone mandate.

EPA estimates that 241 counties will be pushed into nonattainment due to the reduction in the standard.

EPA will determine the severity of the ozone problem in these counties no later than Oct. 1, 2017.

The agency considers three years of air monitoring data to determine if an area is in marginal, moderate, serious, severe or extreme nonattainment.

OPIS notes that states and cities want to avoid a federal nonattainment designation for economic development and cost-of-living reasons, but such a designation would provide the necessary federal funding needed to define the ozone-tracking issues and develop a state implementation plan to get back to attainment.

Designating an area as nonattainment is a formal rulemaking process, and EPA normally takes this action only after air quality standards have been exceeded for several consecutive years.

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Exxon Seeks Court Approval to Use Esso Name Again

Exxon Mobil Corp. is asking a Missouri federal judge to change an injunction that prevents it from using the Esso trademark in the United States.

According to legal website Law 360, the injunction dates back to the Great Depression. The Irving-based oil company stated in court the passage of time and many rebrandings have ensured that consumers will not think Esso is in any way associated with its competitor BP.

ExxonMobil stressed it has no plans to expand its use of the Esso name in any of the 15 states that were included in the 1937 injunction that went into effect regarding Standard Oil Co., Exxon's predecessor. It also states BP has approved this plan.

ExxonMobil is particularly interested in lifting the injunction in an effort to avoid the expense of rebranding letterhead, invoices, packaging and marketing materials, the news outlet stated. ExxonMobil uses the Esso brand name in Canada, the United Kingdom and other countries.

"Because the use of Esso in the 15-state area is no longer likely to cause confusion in the buying public, and thus the dangers the 1937 decree were meant to foreclose have disappeared, the continued enforcement of the decree is inequitable and oppressive," Exxon wrote in its complaint.

Missouri, Colorado, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Montana, North Dakota, Oklahoma, South Dakota, Wisconsin, Wyoming are the states named in the injunction.

ExxonMobil and its predecessors have sought to lift the injunction since 1963, the company stated in its court filings. However, two 1966 surveys revealed between 11 percent and 49 percent of the motoring public would be confused if the company were to start doing business as Esso in the affected area.

Judge Will Consider Salt Warning For NYC Chain Restaurants

In a few weeks, a judge will hear sides on New York City's salt warnings. The city's Board of Health currently requires chain restaurants to post a symbol (a salt shaker within a triangle) beside foods that have more than 2,300 milligrams of sodium, Politico reports.

The National Restaurant Association brought a First Amendment suit against the city, claiming the health board overstepped its role by compelling restaurants to post data with which they have issues. The Board of Health countered that in its mission to protect city residents, it must require warnings for food items that could be risky.

"In its zeal to make New York City the first in the nation to require sodium warnings to be placed on menus and to isolate sodium as the nutritional culprit deserving of that special ignominy, the Board has once again acted without any legislative guidance and in disregard of multiple recent legislative efforts to address sodium; and has dived head first into a controversial and evolving scientific fray to adopt a regulation with as many or more legal flaws as the Soda Ban," the National Restaurant Association's brief read.

Many are watching this case, especially in light of New York City's prominence in leading the way to improving our nation's health, such as by banning transfat, attempting to regulate soda consumption and smoking prohibitions.

U.K. Approves E-Cig Prescriptions To Assist With Smoking Cessation

The U.K. has given approval for British American Tobacco's (BAT) electronic cigarette to be sold as a smoking cessation medicine, Reuters reports. This is the first time an e-cig has been given a drug license in the United Kingdom.

This means that through the National Health Service, doctors can prescribe BAT's e-Voke to patients as a way to help them stop smoking. "We want to ensure licensed nicotine containing products—including e-cigarettes—[that] make medicinal claims are available and meet appropriate standards of safety, quality and efficacy to help reduce the harms from smoking," the Medicines and Healthcare Products Regulatory Agency (MHRA) noted in a statement.

The move comes as many experts have arrived at the view that electronic cigarettes provide a lower-risk replacement for cigarette smoking. However, the newness of the products hasn't allowed for long-term evidence of safety.

That didn't stop Public Health England from saying it views e-cigs as 95% safer than traditional cigarettes. The Medicines & Healthcare Products Regulatory Agency indicated it would "continue to encourage companies to voluntarily submit...license applications for e-cigarettes and other nicotine containing products as medicines." The agency would like more applications from e-cigarette makers for consideration.

NYS Completes First-Ever Skimmer Crackdown

New York State's Department of Agriculture conducted its first-ever statewide skimmer crackdown in November, finding six such illegal devices at gas pumps.

According to Agriculture Commissioner Richard A. Ball, all six illegal skimmers were turned over to police for investigation.

The government agency added that it will continue to check for skimmers as part of its regular inspections, with an emphasis placed on holiday traveling periods.

The skimmers were found at gas dispensers in Niagara, Monroe, Westchester, Rockland and Orange counties, as well as one location in New York City.

"Many New Yorkers have been saved from the damage caused by the theft of their personal information as a result of this successful inspection sweep," said Ball. "This is just the beginning of our efforts to help protect New Yorkers. Now that our inspectors and municipal partners are trained, we will make checking for skimmers a part of our everyday routine, now, during one of the busiest travel holidays of the year, and year-round."

In total, state and county inspectors checked 10,001 gas pumps — nearly 25 percent of the dispensers in the state — from Nov. 2-25. All six skimmers were internal devices connected to the wiring of the card reader inside the gas pump in order to steal and store credit card data until downloaded by criminals. Skimmers can be attached to the outside of a dispenser or hard-wired to the inside.

The New York State Department of Agriculture encourages consumers to be weary of gas pumps and ATMs that appear to have been tampered with or have loose credit card readers. It also recommends that consumers shield the keypad with their hands when inputting their PIN numbers.

Any consumer who suspects a gas pump may be compromised is encouraged to contact local police immediately.

How To Prevent Skimming At The Pump

It's in the headlines nearly every day with no signs of abating: gas station skimming.

This practice, involving criminals placing illegal devices on gas pumps in an effort to steal consumer credit cards and debit cards has reached epidemic levels, stressed panelists speaking Thursday during a webinar entitled "Combating Card Crime at the Fuel Island," presented by Conexus, an industry trade group that creates data exchange standards, advocates on behalf of the industry for equitable and open standards and practices, and more.

"Everyone is very concerned about skimming at the dispenser," said moderator Kara Gunderson, POS manager for CITGO Petroleum Corp. "Florida found 103 skimmers in a three-month period. And it's happening at convenience stores of all shapes and sizes. No c-store is exempt."

Making matters worse, skimmers are difficult to detect, come in various shapes and sizes, and can damage a c-store operator's reputation.

"They are also easy to get," Gunderson said. "In fact, you can even find them for sale on eBay."

C-store retailers looking to prevent skimming at the pump should start by training sales associates about what to look for and establish a standard policy companywide, noted Luke Grant, North America product manager for payment systems, Gilbarco Veeder-Root.

Here are some signs a gas station could be the subject of skimming, he said:

Bad card reads;

- Dispenser "offline" messages;
- Vehicles parked at the gas station island for extended periods of time; and
- Unscheduled service technicians appearing at the pump. "Make sure all service technicians are scheduled and check IDs," Grant stressed.

Grant added dispensers should be inspected daily for signs of forced entry and retailers should maintain a line of sight with the gas station island whenever possible. C-store operators should place further emphasis on this process if skimming has already occurred at other local gas stations, as criminals tend to target a group of stores.

Although the EMV (Europay, MasterCard and Visa) liability shift deadline will not occur until October 2017 at the forecourt, Grant suggested that upgrading dispensers to EMV-ready devices is an additional step in the fight to prevent skimming. He stressed that EMV readers alone will not prevent skimming. However, EMV-capable devices can reduce the value of skimmed data for making counterfeit cards. Hence, although a retailer may suffer a skimming incident, the chances of a subsequent data breach may be reduced.

Tim Weston, senior product manager, North America, at Wayne Fueling Systems, continued that c-store retailers should partner with their service partners in an effort to reduce skimming incidents. In addition, operators should enable store personnel to request site inspections from professional technicians.

Beyond that, technology is a good weapon in the fight against skimming, Weston relayed. He offered the following advice:

- Change dispenser locks to "site-unique" keysets;
- Install dispenser access alarms;
- Install a video surveillance system and run even when the store is closed; and
- Improve lighting at the forecourt.

"Criminals are looking for easy targets. These are good ways to draw them away from your location," Weston said.

Another defense in the battle against skimming is tamper-proof tape. WeCare tamper-evident decals are available for a 500-count roll of tape at a cost of \$69.

If a c-store retailer suffers from a skimming incident, retailers should take three immediate steps, stated Gray Taylor, executive director of Conexus.

- Disable/bag both sides of the affected pump, turn off the pump, and make sure customers do not attempt to use the pump.
- Contact local law enforcement and request an investigation. "Let them remove the skimmer, provide a copy of your inspection log and ask for a police report," Taylor recommended.
- Contact your supplier.

Once these necessary steps are taken, affected retailers should enter a damage-control mode, he recommended. This entails empathizing with customers who could be financially and emotionally devastated, inform consumers of what is happening, and assure customers every necessary step is being taken to alleviate the situation.

When dealing with staff, c-store retailers should inform them of the issues, designate an employee who can speak to others throughout the process, and applaud the employee who found the skimmer and let them know they did a good thing, even though the actual incident is a negative for the company.

Finally, Taylor said the press is likely to contact c-store retailers following skimming incidents. Don't avoid journalist requests, he stressed.

"We've seen what happens on '60 Minutes' when executives hide behind their desks. It doesn't work," he

said. Instead, don't hide from requests for interviews and make sure to express concern about the incident during the interview, Taylor concluded.

Two California C-Stores Ban Pennies

This year, two California convenience stores will no longer use pennies, CBSLA.com reports. The copper coins might still be legal tender in the United States, but owner Roland Foss has decided they aren't welcome in his Fullerton and Anaheim locations of Mission Market.

A sign prominently displayed by the cash register reads: "WE NO LONGER USE PENNIES. All cash transactions rounded to the nearest nickel."

"For example, our coffee right now is \$1.39. And you will now pay \$1.40," said Foss, who had the idea from his time stationed at an Army base in Germany, where pennies weren't used on the base.

Foss said that his decision to ban pennies is a win-win for everyone. "We're all consumers. We know how annoying pennies are. They waste time. They accumulate. We throw them in the trash," he said. "We put them in the piggy bank never to be seen again."

While the price tags stay the same in his stores, the registers will roll up or down by a few pennies to end in a five or zero.

Proposed SNAP Requirements Expected In Early 2016

The Office of Management and Budget (OMB) has announced that a proposed rule with new eligibility standards for retailers in the Supplemental Nutrition Assistance Program (SNAP) is expected to be released in the first quarter of 2016.

The rule will implement provisions of the 2014 Farm Bill, which require retailers to stock more varieties of products in four food categories: meat, poultry or fish; bread or cereal; vegetables or fruits; and dairy. Further, retailers will be required to offer perishable foods in three categories rather than two.

According to OMB, "the rulemaking also proposes changes to address depth of stock, redefine staple and accessory foods, and amend the definition of retail food store to clarify when a retailer is a restaurant rather than a retail food store."

Release of the proposed rule in early 2016 will be followed by a comment period and publication of a final rule, which will specify an effective date for the new eligibility standards.

Treasury And IRS Announce Extension Of ACA Reporting Requirements

This week the U.S. Treasury and Internal Revenue Service (IRS) announced in Notice 2016-4 that the due dates for information reporting for employers under the Affordable Care Act (ACA) have been extended. This is the first year that employers and insurers are required to report

certain information about health coverage to employees, other individuals and the IRS.

Several due dates for employers to file with the IRS were extended: the 2015 Form 1095-B, Health Coverage (and the 1094-B transmittal); and the 2015 Form 1095-C, Employer-Provided Health Insurance Offer and Coverage (and the 1094-C transmittal). If filing in hard copy, the dates were extended from February 29 to May 31, 2016; and if filing electronically, the dates were extended from March 31 to June 30, 2016. The due date for providing the information statements to individuals was extended from February 1 to March 31, 2016.

The IRS is prepared to begin accepting this reporting in January, and is encouraging employers and insurers to begin reporting to employees and other individuals as soon as possible. However, in response to stakeholder feedback, this extension will provide employers and insurers a limited additional period of time to meet these requirements, while maintaining the ACA reporting requirement for 2015.

"As part of our efforts to implement the ACA in a careful and thoughtful way, the Treasury Department and the IRS are responding to feedback from private sector businesses and insurers and providing additional time for employer and insurer reporting under the ACA for the first year," said Assistant Secretary for Tax Policy Mark Mazur.

House Passes a Pair of Anti-Regulatory Bills

The U.S. House of Representatives passed two bills on Thursday, Jan. 7 that would end secretive regulatory negotiations and create a review commission to recommend federal regulation for repeal. The Sunshine for Regulatory Decrees and Settlements Act of 2015 (H.R. 712) passed by a vote of 244-173 and the Searching for and Cutting Regulations that are Unnecessarily Burdensome Act (SCRUB) of 2015 (H.R. 1155) passed 245-174. H.R. 712 aims to bring transparency to the so-called "sue and settle" civil actions by requiring the agency against which a covered civil action is brought to publish the notice of intent to sue and the complaint in a readily accessible manner. These types of actions are typically conducted by pro-regulatory groups who sue the relevant agency and then settle after negotiating new or revised regulations. The SCRUB Act, or H.R. 1155, would establish a nine-member Retrospective Regulatory Review Commission to conduct a review of the Code of Federal Regulations in order to identify rules and sets of rules that, upon repeal, would lower the cost of regulation. The Office of Management and Budget (OMB) has stated that the bills would likely face a presidential veto if passed by the Senate.

Trucking Agency Withdraws Safety Compliance Labeling Requirement

On Dec. 30, the Federal Motor Carrier Safety Administration (FMCSA) announced that it would withdraw a proposed rule requiring all motor carriers domiciled in the U.S. or registered as an importer to include a label on all

trucks certifying compliance with federal safety regulations. The agency announced the decision to withdraw the proposal after numerous public comments pointed out significant deficiencies in the rulemaking. For the time being, the FMCSA will continue to ask all carriers to meet all federal motor vehicle safety standards under existing regulations

DOT Customs Information Can Now Be Submitted Electronically

On Dec. 23, the National Highway Traffic Safety Administration (NHTSA) published a final rule that will allow importers to submit information to Customs and Border Protection electronically. The proposal was first announced in the form of an interim rule. NHTSA finalized the regulation after receiving no public comments

Requirements For Public Deployment Of Autonomous Vehicles

Written by CA DMV PR

The California Department of Motor Vehicles (DMV) has released draft autonomous vehicle deployment regulations for public comment. This is the next step toward allowing the public to operate self-driving cars on California roadways in the future.

“The primary focus of the deployment regulations is the safety of autonomous vehicles and the safety of the public who will share the road with these vehicles,” said DMV Director Jean Shiomoto. “We want to get public input on these draft regulations before we initiate the formal regulatory rule making process.”

The draft regulations are intended to promote the continued development of autonomous vehicle technology in California, while transitioning manufacturers from testing to deployment of self-driving cars. Upcoming public workshops are intended to gather input from industry, consumer and public interest groups, academics, as well as the public, to help improve the quality of the regulations that will eventually be adopted for the operation of self-driving vehicles.

Senate Bill 1298 (Chapter 570; Statutes of 2012) required the DMV to adopt regulations governing both the testing and the use of autonomous vehicles on public roadways. In September 2014, DMV announced the regulations for manufacturers to test the vehicles. Today’s draft regulations address the future use of autonomous vehicles by the public.

The draft regulations are designed to address complex questions related to vehicle safety, certification, operator responsibilities, licensing and registration, privacy, and cyber-security. Key aspects of the draft regulations include:

1. **Manufacturer Certification/Third Party Testing:**
Manufacturers will certify to their compliance with specific autonomous vehicle safety and performance requirements. In addition, a third-party testing organization will be required to conduct a vehicle

demonstration test to provide an independent performance verification of the vehicle.

2. **Licensed Driver Required in Vehicle:**
A licensed operator will be required to be present inside the vehicle and be capable of taking control in the event of a technology failure or other emergency. Driverless vehicles are initially excluded from deployment. The department will address the unique safety, performance, and equipment requirements associated with fully autonomous vehicles in subsequent regulatory packages.
3. **Three-Year Deployment Permit:**
Manufacturers will be approved for a three-year deployment permit, which will require them to regularly report on the performance, safety, and usage of autonomous vehicles. This provisional permit is a critical first step towards the full deployment of autonomous vehicles in California. Data collected throughout the permit term will provide an opportunity to evaluate the safety and real-world performance of autonomous vehicles and inform subsequent regulatory actions by the department.
4. **Privacy and Cyber-Security Requirements:**
Manufacturers must disclose to the operator if information is collected, other than the information needed to safely operate the vehicle. Manufacturers will be required to obtain approval to collect this additional information. Autonomous vehicles will be equipped with self-diagnostic capabilities that detect and respond to cyber-attacks or other unauthorized intrusions, alert the operator, and allow for an operator override.

Why Your Customers Believe They Don’t Need New Shocks, Struts

■ Technician Talk

by Andrew Markel

Chances are your customers want the best. Starting the estimate with the least expensive alternative can lower your profit.

The old proverb of “walk a mile in their shoes” applies to selling shocks and struts. Your typical customer is not like you — their point of view is completely different. You have to understand what they know and what they value. You also need the patience to educate them on the importance of these critical automotive components.

Drivers are ignorant: Years back, shocks were some of the most commonly replaced components. Replacement could make a big difference on heavy cars with leaf springs. Most of today’s drivers under 30 years of age don’t even realize that they have shocks or struts on their vehicle. This is why they give you those blank looks when you start blabbering on about speed sensitive dampening and yaw. Your job is to educate them if you are going to sell to them. They don’t know how to talk about their shocks and struts: A customer doesn’t know about rebound, compression or gas-charged, twin-tubed shocks. What they do know is losing control and how their car feels. Your job is to ask

questions and find out what new shocks and struts can do for them.

They use the Internet: This is a strength rather than a weakness. A customer can research shock and strut replacement from their smartphone in your waiting room. The most common "search phrase" used by consumers when researching shocks and struts, according to Google Keywords, returns results that are positive and filled with information telling them the benefits of shock and strut replacement. You can feel good that if they do their own research online, it will back you up.

They do not know the benefits of shocks and struts: The customer may think that new shocks and struts will make their car ride better. The truth is that new shocks and struts can do a whole lot more. New shocks and struts can make a vehicle corner and brake like when it was new. This can give them extra stopping distance and more confidence in emergency situations.

Poor inspections have made them skeptical: Some drivers assume that if they take their car to a quick lube, the man in the pit will inspect their shocks and struts. Not true. Testing a vehicle's ride control requires a test drive, and they can't do this if the driver never leaves the driver's seat during an oil change.

Some general repair shops also do a subpar job of inspecting shocks and struts. Some shops will never check, but say it's part of a multi-point inspection. If you are a second opinion, chances are you will be fighting an uphill battle — but don't give up. Estimates have shown that 50% of ride control sales occur on the second visit. This means that a large percentage of first-time sales pitches for ride control are followed by, "Sorry, no thank you." But the customer comes back eventually.

Customers are desensitized to bad shocks and struts: Over 50,000 miles, the dampening capabilities of a shock or strut will degrade to the point where it can impact ride and handling, but the driver doesn't notice because it happens gradually. Noise and body lean are a normal part of their driving experience, but your fresh perspective can reveal just how bad their shocks and struts have become. This is why a test drive is critical to the inspection process.

They get low-balled: Chances are your customers want the best. Starting the estimate with the least expensive alternative can lower your profit. Quoting the lowest price might get some customers in the door, but many customers will want more. An effective sales tactic when selling ride control is to start with premium products first rather than with the economy or less-expensive option. This can give you a little room to provide your customers with options that meet their budget and vehicle life expectancy.

Some customers don't drive far enough to experience how bad their shocks and struts have degraded: Shocks are filled mostly with oil that can have different weights. When the oil heats up, it can affect the rate of flow through the valving as it either thins out or becomes more viscous. Some shock manufacturers also use multi-weight oils that work like motor oils. When the oil is cold, it may flow like 15-weight oil, but as the oil heats up, it could flow like a 20-

weight. Some shocks and struts could take awhile to fade and for the fluid inside to foam up, and this might only occur when they take the car on a long trip.

They are afraid of repairing their air ride system: Repairing an air ride suspension at a new car dealer can be pricey. Many consumers have been quoted \$3,000 to \$5,000 to fix a leaky air suspension at a dealership. There are also horror stories on the Internet about dealers chasing a problem at the customer's expense.

This is a great opportunity for independent shops. Unlike dealers, you don't have to use dealership parts. You can match aftermarket alternatives to the customer's budget. Aftermarket suppliers offer remanufactured struts and shocks at a fraction of the price of dealership parts. Some ride control manufacturers also offer conversion kits to convert the vehicle over to conventional springs.

Because You Asked

The association office has been receiving and number of call concerning used oil. Haulers are beginning to charge to pick up the product. This happens when ever the price of crude oil drops below a certain level It become less expensive to use virgin oil than to recycle used oil. If and when the price of crude oil increase used oil will increase in value.

Members are asking if they can charge for the collection of used oil when a do-it-your-selfer brings the used oil to a shop. The simple answer is, no

The association is contacting used oil haulers to determine which is the least expensive. We will keep you informed

Contact us with any questions.

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.

Attention Inspection Stations

The Association has received a flurry of requests for legal representation for violations of the DMV commissioner regulations known as "clean scanning." that is when a vehicle other than the one to be inspected is substitute for the OBD-II part of the test. We have no defense for these violations. DMV has the ability to trace the OBD-II inspection to the vehicle used for the inspection.

If you cannot pass a vehicle for any reason, get help. That help could come from DMV. This violation almost always results in revocation.



ATTENTION EMPLOYEES (ATENCIÓN EMPLEADOS) MINIMUM WAGE INFORMATION

(INFORMACIÓN SOBRE EL SALARIO MÍNIMO)

Effective 12/31/15

Basic Hourly Rate

\$9.00 per hour

A partir del 12/31/15

Salario Mínimo

\$9.00 por hora

Overtime Rate

For most occupations, employees must be paid overtime after 40 hours of work in a week at 1 ½ times their hourly rate of pay. For residential employees, the overtime rate applies after 44 hours.

Tips

A specified allowance may be credited toward the minimum wage for tips earned.

Meals and Lodging

A specific credit may be granted toward the minimum wage for meals and/or lodging provided by the employer.

Federal Law

Employees covered under the federal Fair Labor Standards Act must be paid in accordance with State law and also in accordance with higher federal requirements, where applicable.

Other Wage Requirements

A specific amount must be paid, in addition to the minimum wage, for the maintenance of required uniforms.

There are provisions for other supplemental wages in New York State Industry wage orders. These may include a part-time rate, daily call-in pay and a rate for split shift or spread of hours. Whether a particular supplemental wage applies depends on the provisions of the industry wage order covering the employment.

For additional information or to file a complaint

Write or call the Department of Labor, Division of Labor Standards at one of the offices listed below:

Pago por horas extras

En la mayoría de los trabajos, los empleados deben recibir una paga de tiempo y medio de la tarifa regular por hora cuando las horas trabajadas exceden las 40 horas semanales. Los empleados que residen en el sitio de trabajo, deben recibir una paga de tiempo y medio de su tarifa regular por hora en exceso de 44 horas semanales.

Propinas

Se puede acreditar al salario mínimo una cantidad específica por las propinas ganadas.

Comidas y Alojamiento

Se puede acreditar una cantidad específica al salario mínimo por comidas y/o alojamiento provistos por el patrono.

Ley Federal

Los empleados protegidos por la Ley Federal de Normas Equitativas del Trabajo (Federal Fair Labor Standards Act) deben ganar salarios según lo estipulan las leyes estatales y de acuerdo con los requisitos superiores federales, según apliquen.

Otros requisitos salariales

Se debe pagar una cantidad específica, además del salario mínimo, por el mantenimiento de uniformes obligatorios.

Existen otras disposiciones sobre pagos suplementarios en las ordenanzas industriales del Estado de Nueva York. Dichas disposiciones contienen una tarifa por trabajo a medio tiempo, trabajo diario casual, turnos divididos o por horas repartidas. Si un pago suplementario es pertinente o no, depende de las disposiciones vigentes en el tipo de industria que cubre el trabajo desempeñado.

Si necesita más información o para presentar una querrela por favor escriba o llame al

Departamento del Trabajo División de Normas Laborales a cualquiera de las siguientes oficinas:

State Office Building Campus
Albany, NY 12240
(518) 457-2730

400 Oak Street
Garden City, NY 11530
(516) 794-8195

333 E. Washington Street
Syracuse, NY 13202
(315) 428-4057

44 Hawley Street
Binghamton, NY 13901
(607) 721-8014

75 Varick Street, 7th Floor
New York, NY 10013
(212) 775-3880

120 Bloomingdale Road
White Plains, NY 10605
(914) 997-9521

65 Court Street
Buffalo, NY 14202
(716) 847-7141

276 Waring Road Room 104
Rochester, NY 14609
(585) 258-4550
(Subdistrict)

For additional information:
www.labor.ny.gov

**Order of Acting Commissioner of Labor Mario J, Musolino on the
Report and Recommendations of the 2015 Fast Food Wage Board**

September 10, 2015

The 2015 Fast Food Wage Board has fulfilled its charge. After more than 10 weeks of study and deliberations informed by a large amount of public input from employees, employers, industry representatives, many of whose livelihoods come from the fast food industry, as well as academics, advocates, elected officials and others, the Wage Board has recommended phased increases in the minimum wage that would reach \$15 per hour by December 31, 2018, in New York City, and December 31, 2021, for the rest of the state, and recommended that the scope of covered occupations and establishments be determined according to proposed definitions of terms including “fast food worker,” “fast food establishment,” and several related terms.

Section 656 of the Labor Law authorizes the Commissioner of Labor to accept, reject, or modify the report and recommendations of the Wage Board or to remand matters for further consideration. I have reviewed and considered the Wage Board’s report and recommendations, the record of testimony, documents, and deliberations before the Wage Board, the objections and comments to the report and recommendations filed with me, and the provisions of Article 19 of the Labor Law.

Now, in accordance with the requirements of Article 19 of the Labor Law, and my authority under that Article, I hereby accept the Wage Board’s report and recommendations in all respects, including, but not limited to, the following matters. I accept the factual findings of the Wage Board in Parts I through IV of the report, adopt them as my own, and incorporate them by reference as if fully set forth herein in this order. I accept the analysis and consideration of basic factors and other considerations articulated by the Wage Board in Parts III and IV of the report, adopt them as my own, and incorporate them by reference as if fully set forth herein in this order.

I accept each of the Wage Board’s three recommendations, as further set forth below.

1. Increasing the Minimum Wage Rate to \$15 for fast food employees in fast food establishments

I accept the Wage Board’s recommendation that the minimum wage be raised to \$15 for fast food employees in fast food establishments.

2. Phase-in Schedules for New York City and the Rest of the State

I accept the Wage Board's recommendation that the new \$15 minimum wage rate be phased in to take effect by December 31, 2018, for New York City, and by July 1, 2021, for the rest of the state, on the following schedules:

- For New York City, the minimum wage should be increased to
 - \$10.50 on December 31, 2015,
 - \$12.00 on December 31, 2016,
 - \$13.50 on December 31, 2017, and
 - \$15.00 on December 31, 2018.
- For the rest of the state, the minimum wage should be increased to
 - \$9.75 on December 31, 2015,
 - \$10.75 on December 31, 2016,
 - \$11.75 on December 31, 2017,
 - \$12.75 on December 31, 2018,
 - \$13.75 on December 31, 2019,
 - \$14.50 on December 31, 2020, and
 - \$15.00 on July 1, 2021.

3. Definitions establishing the scope of covered employees and establishments

I accept the Wage Board's recommendation that the scope of covered employees and establishments be determined according to the following definitions:

"Fast Food Employee" shall mean any person employed or permitted to work at or for a Fast Food Establishment by any employer where such person's job duties include at least one of the following: customer service, cooking, food or drink preparation, delivery, security, stocking supplies or equipment, cleaning, or routine maintenance.

"Fast Food Establishment" shall mean any establishment in the state of New York: (a) which has as its primary purpose serving food or drink items; (b) where patrons order or select items and pay before eating and such items may be consumed on the premises, taken out, or delivered to the customer's location; (c) which offers limited service; (d) which is part of a chain; and (e) which is one of thirty (30) or more establishments nationally, including: (i) an integrated enterprise which owns or operates thirty (30) or more such establishments in the aggregate nationally; or (ii) an establishment operated pursuant to a Franchise where the Franchisor and the Franchisee(s) of such Franchisor owns or operate thirty (30) or more such establishments in the aggregate nationally. "Fast Food Establishment" shall include such establishments located within non-Fast Food Establishments.

“Chain” shall mean a set of establishments which share a common brand, or which are characterized by standardized options for décor, marketing, packaging, products, and services.

“Franchisee” shall mean a person or entity to whom a franchise is granted.

“Franchisor” shall mean a person or entity who grants a franchise to another person or entity.

“Franchise” shall have the same definition as set forth in General Business Law Section 681.

“Integrated enterprise” shall mean two or more entities sufficiently integrated so as to be considered a single employer as determined by application of the following factors: (i) degree of interrelation between the operations of multiple entities; (ii) degree to which the entities share common management; (iii) centralized control of labor relations; and (iv) degree of common ownership or financial control.

I would like to thank the members of the 2015 Fast Food Wage Board for all their hard work, their deep commitment to advancing the well being of fast food workers and businesses in the hospitality industry and their vision of change. I would also like to thank everyone who took the time to submit testimony to the Wage Board and objections and comments to the Commissioner.

CONCLUSION

This Order is hereby filed with the Secretary of the Department of Labor, to be effective thirty days after publication of a notice of such order in at least ten newspapers of general circulation in the state.



MARIO J. MUSOLINO
Acting Commissioner of Labor

Dated: September 10, 2015
New York, New York



**Environmental
Protection**

December 14, 2015

*Emily Lloyd
Commissioner*

Dear Facility Owner:

Kevin T. McBride
Deputy Commissioner
Bureau of Police & Security
kmcbride@dep.nyc.gov

In order to assist you in complying with the New York City Community Right-to-Know Laws and Regulations the New York City Department of Environmental Protection (NYCDEP) is holding a series of workshops on how to use the online Tier II Filing System. The Tier II system allows you to submit your filing electronically, attach your Safety Data Sheet(s) and pay using either a credit/debit card or e-check.

59-17 Junction Boulevard
Flushing, NY 11373

Workshops are to be held at:

NYC Department of Environmental Protection
59-17 Junction Blvd, 6th fl. Training Room/Lecture Room
Flushing, NY 11373

WORKSHOP DATES & TIMES

Wednesday, January 13, 2016	10:00 – 11:30 am
Wednesday, January 20, 2016 ¹	16:00 – 17:30 pm
Wednesday, February 3, 2016	10: 00 – 11:30 am
Wednesday, February 10, 2016	16:00 – 17:30 pm

To reserve space at the workshops please email us at edu@dep.nyc.gov or call 718-595-4436.

Sincerely,

Vassilios Zoumboulis, P.E
Director

Attachment

¹ This workshop will be held at Rego Park Community Center located at 61-35 Junction Blvd, Queens (corner of 97th St and Horace Harding Expressway).

**FOR SALE
BRONX REPAIR SHOP**

ASKING \$145,000

**PRICE INCLUDES
NYS FACILITY
INSPECTION LICENSE**

**INTERESTED PARTIES
PLEASE CONTACT ELY
AT 718-781-7971**

FOR SALE

HIGH VOLUME REPAIR SHOP BUSINESS INCLUDING INSPECTION STATION IN CENTRAL SUFFOLK COUNTY

SHOP AVERAGES OVER \$85,000 PER MONTH
INSPECTION STATION RENT IS \$6000 PER MONTH

LEASE: SIX (6) YEARS REMAINING
POSSIBLE OPTION WITH LANDLORD TO PURCHASE PROPERTY

PRICE INCLUDES ALL EQUIPMENT AND STOCK

EQUIPMENT INCLUDES:

TWO POST LIFTS, DRIVE ON LIFT, INSPECTION SYSTEM, A/C MACHINE,
AMMOCO BRAKE LATHE, 2000 CHEVY PICKUP WITH PLOW, VERSUS SNAP ON
SCANNER PLUS MUCH MORE TOTALING APPROXIMATELY \$65,000
STOCK TOTALS APPROXIMATELY \$15,000

PRICE:375,000

CONTACT FOR INFO: 631-352-8483

EMAIL: SHOPFORSALE267@GMAIL.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**

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"/>	Property & Casualty	
<input type="checkbox"/>	Workers Comp	
<input type="checkbox"/>	Disability	
<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



NEW YORK STATE ASSOCIATION OF SERVICE STATION & REPAIR SHOPS, INC

Declared Dividend is 20%

In 2015* the New York State Association of Service Stations & Repair Shops, Inc. is proud to declare a dividend for the Workers Compensation Group #536 of **20%**. This will be the 23rd consecutive year that the group will pay the dividend.

This dividend is in addition to the up front 20% discount that all members could enjoy.

Checks will be processed on 4/17/2015 and mailed directly to your address by The State Insurance Fund.

* Applies to Policy Term 5/1/13 - 5/1/14

Further Details

Please contact:

Bill Adams at 716.849.8641 or by email at

badams@lawleyinsurance.com if

you have any questions or concerns.

NYSASSRS & Lawley Partnership





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

CERTIFICATION OF A CLERK WHO SELLS TOBACCO PRODUCTS
POINT REDUCTION CLASS

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

THE STATE IS ENFORCING THIS LAW
*IN ORDER TO ACCOMMODATE OUR MEMBERS,
WE ARE CERTIFIED TO PROVIDE THIS TRAINING.*
PLEASE NOTE DATES, TIME, AND LOCATION 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

