
SSRA

Service Station & Repair Shop Association of Central New York
1235 Upper Front Street, PMB 105, Suite 5, Binghamton, NY 13901
(607) 398-7260 – ssra@nysassrs.com – www.nysassrs.com

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Health-Law Employer Mandate Delayed Until 2015

The Obama administration announced that the employer mandate of the health-care law would be delayed another year.

“The Obama administration will not penalize businesses that do not provide health insurance in 2014,” wrote the Washington Post, adding, “Instead, it will delay enforcement of a major Affordable Care Act requirement that all employers with more than 50 [full-time] employees provide coverage to their workers until 2015.”

In a WhiteHouse.gov blog post, Valerie Jarrett, senior advisor and assistant to the president for intergovernmental affairs and public engagement, wrote that the administration believes that employers need more time for compliance: “Since employer responsibility payments can only be assessed based on this new reporting, payments won’t be collected for 2014. This allows employers the time to test the new reporting systems and make any necessary adaptations to their health benefits while staying the course toward making health coverage more affordable and accessible for their workers,” she wrote.

Moving forward, Jarrett offered a quick review of what small and large businesses will need to know about the health law:

- “If you are a small business with less than 50 workers, the law’s employer shared responsibility policies does not apply to you. Instead, you will gain access to the Small Business Health Options Program that gives you the purchasing power of large businesses. In fact, you may be eligible for a tax credit that covers up to half the

cost of insurance if you offer quality coverage to your employees. If you own a business with more than 50 workers that already offers full-time workers affordable, quality coverage, you are fine – we’ll work with you to keep that coverage affordable.

- And if you are a company with more than 50 employees but choose not to offer quality affordable coverage, we have provided as much flexibility and transition time as possible for you to move to providing affordable, quality coverage to your workers.”

Stay tuned for more information as it becomes available.

U.S. House Members Consider E15 Rollback

While the Supreme Court decided last month not to hear arguments against enlarging the use of ethanol in the United States, there is a growing number of House Republicans seeking to roll back the 2007 Energy Act and its Renewable Fuel Standard (RFS) mandate, Daily Tech reports.

“We need to review this and changes need to be made,” Rep. Fred Upton (R-MI) chairman of the Energy and Commerce Committee, told the Detroit News. “We’re hoping to come up with something that’s reasonable and constructive and bipartisan,” perhaps by the end of the year.

House lawmakers are debating whether to kill the bill or modify it by scaling back its targets. Rep. Joe Barton (R-TX) has proposed killing it, while Rep. Ed Whitfield (R-KY) wants to revise it. “We want is an RFS (renewable fuel standard) that can work for everyone involved, be it farmers, renewable fuel producers, refiners, and automakers. And most importantly, we want a policy that benefits the American driving public,” Whitfield said.

Should the House act on killing or revising the law, it is unknown what would happen if such a bill makes it to the Senate floor.

“The Democratic controlled Senate has shown very little interest in trimming back corn ethanol blending targets,” Daily Tech notes, adding, “Thus it remains to be seen whether an effort to scale back targets can survive, amidst heavy lobbying from the corn industry,” The news source concluded that it’s a matter of time before E15 arrives at pumps across the nation — “even if that fuel damages your older vehicle, RV, boat or motorcycle.”

Global Natural Gas Vehicle Fleet Size to Jump 92% by 2020: Study

The number of natural gas vehicles (NGVs) on roadways worldwide will increase steadily over the

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remainder of this decade, rising to 34.9 million by 2020 from 18.2 million in 2013, according to a report from Navigant Research on Tuesday.

Navigant Research, a research arm of Navigant, provides market research and services for the rapidly changing and often highly regulated energy sector. Navigant is an energy consulting firm.

Driven by a combination of low-cost natural gas and sustained higher prices for gasoline and diesel, the market for NGVs is gaining increased traction in many regions.

While these vehicles have been in service in certain countries for many decades, interest in NGVs has spread in recent years along with the surge in supply of low-cost natural gas.

"NGVs experienced a brief surge in popularity in the 1970s and early 1980s as a result of the 1973 oil embargo and the price shocks that followed," said Dave Hurst, principal research analyst with Navigant Research.

"Today, growth in the market is being fueled less by negative external events and more by positive industry developments, such as increased vehicle availability, a stronger focus on the largest users of fuel in new regions, and a greater openness to alternative fuel vehicles on the part of motorists and fleet operators," he said.

Natural gas, which exists as a gas at ambient air temperature, must be compressed or liquefied in order to increase the volume of fuel the vehicle can carry and to improve the vehicle's range.

Compressed natural gas (CNG) is compressed to 3,600 pounds per square inch. Liquefied natural gas (LNG) occupies about 30% less space than CNG, but the gas must be super-cooled to -25 F (-16 C) before it liquefies.

While more LNG fuel fits into the same amount of space as CNG, LNG tanks are larger, heavier, and more costly, according to the report, limiting LNG to medium and heavy duty trucks and buses.

The report, "Market Data: Natural Gas Vehicles," provides global market data and forecasts for passenger cars, light duty trucks, and medium and heavy duty trucks and buses.

In addition to sales forecasts for vehicles and for refueling infrastructure extending through 2020, the report examines key factors influencing growth in the NGV market, including economic forces, fuel prices and overall automobile market trends.

--Edgar Ang, eang@opisnet.com

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New Senate Bill Seeks Funding to Promote Diversification Away from Oil Fuels

U.S. Senators Ron Wyden (D-Ore.) and Debbie Stabenow (D-Mich.) are sponsoring legislation intended to support advanced vehicle technologies and fuel the growth of infrastructure for innovative fuels.

The Alternative Fueled Vehicles Competitiveness and Energy Security Act of 2013 would enlarge existing Department of Energy (DOE) loan programs to remove a

barrier to the expansion of electric, natural gas and other alternative-fueled vehicles. It would also provide funding for manufacturers of cars, heavy-duty trucks, trains and other vehicles using natural gas, propane, electricity, biofuels and hydrogen.

"As long as our nation is dependent on oil, American consumers will find themselves at the mercy of gas prices that are beyond their control," Wyden said in a statement. "By diversifying our fuel mix, we increase competition in the global fuel markets, lowering costs to consumers and introducing more choice into our nation's transportation system."

The bill encourages public-private partnerships by providing technical assistance to state and local governments for alternative fuel vehicle deployment and the building of related infrastructure. For example, the deployment of alternative fuel filling stations would be supported by allowing fuel infrastructure projects to qualify for the DOE's Section 1703 Loan Program.

The bill also provides grants to higher education institutions to establish training programs for a next-generation workforce to make, install and maintain a growing alternative fueled vehicle fleet and refueling infrastructure.

In addition, the bill would require DOE to report the amount of oil displaced by alternative fuels and identify barriers to large-scale alternative fueled vehicle deployment.

--Beth Heinsohn, bheinsohn@opisnet.com

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Supreme Court Confirms Definition Of 'Supervisor'

The U.S. Supreme Court held that, for purposes of employer liability for harassment under Title VII, a supervisor is defined as someone who can undertake or effectively recommend tangible employment decisions affecting the victim, according to Fisher & Phillips LLC. (*Vance v. Ball State University*.)

When it comes to workplace discrimination claims, harassment allegations continue to create the greatest exposure for businesses large and small. For decades now, convenience stores and other retail employers have been held legally responsible for unlawful harassment by members of their supervisory team.

However, the courts have applied different tests for determining who is a "supervisor" under Title VII, with many requiring only that a manager have the authority to direct the victim's work. By clarifying the legal definition, the Supreme Court has now helped to narrow the extent of an employer's liability under these circumstances.

The court ruled that store managers may only impute liability to their employers if they can make a "significant change in employment status, such as hiring, firing, failing to promote, reassignment with significantly different responsibilities, or a decision causing a significant change in benefits."

Courts will always look closely at the relationship between harasser and the victim when assessing vicarious

liability. Nonetheless, this is welcome news for employers who were at risk of strict liability based solely on the fact that the alleged harasser had authority to direct the work of a subordinate. Such liability will no longer attach unless the harasser can make significant employment decisions affecting that individual — which may not apply to every member of your management team.

Consequently, employers are advised to assess and document who has the supervisory authority. These individuals should be provided training that would, among other things, remind them of their status and educate them on the potential risks associated with their conduct. Retailers also should continue taking steps to prevent harassment in the workplace by adopting, disseminating, and educating employees on a comprehensive anti-harassment policy and otherwise demonstrating that reasonable preventive measures were taken.

Hess on Sandy's Lessons: Tighten Ties Forged with Govt, Speed Decisions

While Hess Corp. wasn't unprepared for Hurricane Sandy in October 2012, the superstorm's unprecedented impacts brought commercial and governmental leadership together in ways that will inform decisions made in, or more likely ahead of, the next storm.

Christopher Baldwin, senior vice president of retail and energy markets at Hess, on Monday praised the responsiveness of the White House and Governors Andrew Cuomo (N.Y.-D.) and Chris Christie (N.J.-R.) in the post-storm aftermath, but he also advocated letting more informed fuel business interests have a greater say.

Hess was in hourly contact with the governors' offices and frequently in touch with federal officials, he said at a gathering held by the Bipartisan Policy Center in Washington, D.C. Baldwin singled out as especially helpful the Jones Act waivers that allowed more ships to get supply to New York Harbor than is usually the case, and the efforts of the Coast Guard.

The disruption to all forms of fuel supply transport and distribution due to flooding, lack of power and storm surge that dragged homes into New York Harbor waters made for "extreme (supply) conditions," Baldwin said. Close work with the Coast Guard got the Harbor reopened and helped move cargoes to where they were most needed, he said. Meanwhile, the New York Police Department was invaluable in getting tank trucks where they needed to go and in keeping the peace among storm-battered and fuel-short residents waiting in long lines at stations.

Hess also worked with local municipalities to get first responders to the head of lines at stations (paying later) and found themselves having to say no in some cases. For example, making nurses, doctors and others not in uniform or marked cars part of that priority fueling program could have exacerbated already-high levels of frustration of motorists waiting to refuel. "We drew the line there for security," Baldwin said.

However, he also indicated that "crossed lines" regarding fuel quality waivers and an attempt to give fuel away in New York City made an already difficult situation even harder. "Jurisdiction on fuel quality waivers is important, as is getting a quick answer," Baldwin said, adding "business had a better idea than government."

Before Sandy

Hess drew on its experience with storms in Florida to prepare for Sandy, Baldwin said.

A week's notice of the storm in late October afforded by meteorologists allowed Hess to: 1) pre-position 110 generators for use at its roughly 175 service stations in the tri-state region, 2) put a paid reserve of about 100 electricians (some from as far away as Florida) on call, 3) deploy satellite phones to its facilities, 4) top off as many station underground fuel storage tanks as it could, and restock retail sites with water and batteries, and 5) move in half of its workforce from Pennsylvania to ensure shift relief for what promised to be harrowing conditions for its employees in New York, New Jersey and Long Island.

The efforts meant that most of Hess' stations in the region were operable despite the widespread power outages that occurred after Superstorm Sandy came ashore, though "not at every station every hour of every day," Baldwin said.

Collectively, those stations sold 40% more gasoline compared to a year earlier, Baldwin added, in no small part due to the needs of first responders. In the case of one Hess station in midtown Manhattan, it took resupply by nine tank trucks a day to keep the pumps going.

Crisis can also foster innovation. Thanks to Hess' director of brand marketing Justin Mayer, the company took the extraordinary step of disclosing (and regularly updating) online the fuel inventories of Hess retail sites in the affected area to help motorists fine-tune their search for fuel. "The consumer feedback we got from that was very valuable," Baldwin said.

Ahead of the Next Storm

Baldwin reiterated Hess' support of legislation in New York (enacted) and New Jersey (pending) to require backup power generation at fuel retail sites and said that a similar effort at terminals "will make more progress."

Many of the fuel terminals in the New York Harbor area are on or very near the water and Hess is "working to improve the water-facing sections" of its seven New York-New Jersey terminals and to improve their docks as they are restored. Power restoration capability has been a consideration at Hess terminals as they were restored or rebuilt.

OPIS notes that Hess, as part of reorienting itself toward oil and gas exploration and production, is reportedly already showing its 19 terminals to potential buyers and continues to move toward divesting itself of its retail network (all 1,360 retail sites or possibly various regional segments).

In addressing a question about how Hess is adapting itself to the effects of climate change, Baldwin cited the experience of Sandy as being a transformative one.

"Sandy changed the dialogue," he said. "Government relations have become deeper, allowing an operational

discussion of when the chips are down; it's been a productive discussion."

Proposed Oneida Indian Nation Tax Settlement

The New York State Association of Service Stations and Repair Shops Inc on behalf of its member licensed, tax-collecting Central New York convenience store operators and others throughout the state who have long suffered economic injury from cigarette and motor fuel tax evasion the Oneida Indian Nation's retail enterprises.

The Association has always advocated the collection of state taxes on Indian sales of gas and cigarettes to non-Indians in accordance with U.S. Supreme Court doctrine and New York State law. We have supported suing the State of New York to enforce equal tax collection and have lobbied for laws designed to require all businesses to follow the same rules.

Unfortunately, the tax provisions of this settlement do not accommodate that objective. Instead "ending unfair competition", it appears to classify permanent price differentials that would enable tribal business to continue under-price tobacco and gas to the detriment of competing non-Indian retailers – with the permission of the New York State.

Furthermore, it would erase years progress toward ensuring that all cigarettes sold through Indian reservations into New York are tax-stamped and properly regulated in order to stop illegal trade, protect public health, and allow small businesses the opportunity to compete on a level playing field for retail customers.

- Our objections to the agreement are:
- Allow the Oneidas to resume receiving untaxed deliveries of national-brand cigarettes, circumventing the supply channels prescribed by State law, such as Marlboro, Newport, and others and permitting them to sell them under priced.
- Permit the Oneidas to import untaxed Indian-made cigarettes from other reservations, lifting the existing State ban on such shipments.
- Beyond these price advantages, bestow upon OIN enterprises a gross retail profit of \$50.00 a carton for cigarettes (eight times that of most surrounding non-Indian retailers) and up to 45 cents a gallon for gas (three to four times that of most surrounding non-Indian retailers).
- Permit OIN retail shops to ignore duly enacted State regulations governing the sale of tobacco and motor fuel that their non-Indian competitors are forced to comply with – and immunize them from any additional tobacco or motor fuel regulations the State may enact in the future.
- Allow the Oneidas to expand their tobacco and motor fuel retailing activity by opening additional stores throughout Madison and Oneida counties offering the same permanent price advantages and immunity from state and local regulation as their existing locations.

- Allow the Oneidas to continue selling a wide assortment of other consumer products – beverages, candy, snacks, frozen foods, automotive supplies, etc. – without charging the equivalent of state and local sales taxes, condemning non-Indian convenience stores to a permanent price disadvantage of 8% to 8.75% on those items.
- Expose non-Indian retailers in other regions of New York State to these same price disadvantages and double standards should terms of this agreement be replicated in tax settlements with other New York tribes that currently sell tobacco and/or motor fuel to non-Indians tax-free in defiance of State law.

Fairness has been a theme of the last two legislative sessions in Albany. The proposed Oneida Indian tax settlement is inconsistent with that policy. Under its terms, New York would be more open for business for some than for others.

Therefore, the Association, its affiliates and members respectfully urge the Legislature to disapprove the "Resolution of Tax Disputes" portion (Section V) of the proposed Oneida Indian Nation agreement until such time as it is modified in order to achieve the true fairness and balance that all affected parties deserve.

NYVIP MESSAGE # 95

**TO: ALL EMISSIONS INSPECTION STATIONS
FROM: NYS DEPT. OF MOTOR VEHICLES
SUBJECT: NYVIP2 EQUIPMENT PURCHASING
IMPORTANT NOTICE**

This message is to inform you that you may now order NYVIP2 inspection equipment. Your current inspection equipment cannot be used after November 30, 2013, when the DMV – SGS Testcom contract expires. You must purchase NYVIP2 equipment if you wish to continue to participate in the inspection program.

On June 5, 2012 and on March 12, 2013, DMV issued NYVIP Messages #81 and #93 which included information regarding the next New York Vehicle Inspection Program (NYVIP2). These messages included questions and answers that relate to the new program which will begin on December 1, 2013. Please review these messages as they provide additional information.

As you were advised in NYVIP message 93, "Systech will provide one NYVIP2 initial unit to each station for \$1,375 (which is \$289 less than the base unit cost at the beginning of the program in 2004). The base unit includes all equipment and software necessary to perform inspections." In addition to this base unit, Systech will offer upgrades and optional equipment. These additional items are not required by DMV and may be purchased at your discretion. Systech can describe their uses and benefits.

Shipping of equipment will begin in early August. You will be able to track the status of your order on the Systech website. If you order a base model, you will receive one box measuring 19" x 22" x 39". When you receive your equipment, it will include instructions for testing it and

keeping it secure. This will ensure that you are ready for December 1.

You may be able to switch over to your Systech equipment as early as September 1, 2013. Additional information regarding when stations can begin to use the new equipment will be sent by DMV in the near future.

In order to guarantee your equipment order delivery by December 1, 2013, you must place your order by August 15, 2013.

Please go to WWW.NYVIP.ORG to register with Systech and order equipment. If you have any questions call Systech at 1-866-OB-D-TEST (623-8378)

IMPROVEMENTS IN NYVIP2

Eliminate telephone costs -- Like your current analyzer, your new equipment will require a connection to communicate inspection data and retrieve records. A base \$1,375.00 NYVIP2 unit will support direct dial, dial-up internet, and broadband.

Longstanding regulations (NYCRR 79.9(d)(2)(vii)) require that if your analyzer is connecting by telephone, the line must be used for the analyzer only. As pointed out in NYVIP message 62 in December 2010, if you opt for broadband, you can eliminate monthly fees for the dedicated analyzer telephone line.

How a station chooses to connect to Systech is up to each station.

No monthly bills -- Inspection communication to Systech will utilize prepaid "transactions authorizations" in order to perform inspections -- eliminating monthly bills and the risk of station shut-offs for non-payment -- minimal blocks of 20 (\$8.72) will be available. These can be purchased electronically on your analyzer and on the internet. In addition, Systech will offer an option for automatic replenishment of inspection authorizations.

Optional upgrades -- The NYVIP2 system will be offered with optional upgrades which will include a larger monitor, wireless broadband networking (Wi-Fi), wireless OBDII scan tool, and a wireless barcode scanner; with more to come. Wireless options allow the use of your existing broadband without running cables to your bays. Purchase of these upgrades and other options are available at your discretion.

Again, please go to WWW.NYVIP.ORG to register with Systech and order your equipment before August 15, 2013. If you have any questions call Systech at 1-866-OB-D-TEST (623-8378).EIA expects West Coast gasoline prices to be as much as 26 cents per gallon higher this summer than the national average, while the Gulf Coast could be 16 cents per gallon lower than the national average.

NYVIP MESSAGE #93

DATE: 3/12/2013

TO: ALL EMISSIONS INSPECTION STATIONS

FROM: NYS DEPT. OF MOTOR VEHICLES

SUBJECT: IMPLEMENTATION OF NEW NYVIP CONTRACT

This communication is to inform you of upcoming changes to the New York Vehicle Inspection Program (NYVIP) and requirements to participate as an emissions station.

The current inspection program (NYVIP) officially began on December 1st, 2004 and has been continuously in effect for over eight (8) years now. This program is managed under contract for DMV by SGS Testcom. The contract with SGS Testcom will terminate this year on November 30th.

Preparations for a replacement program began on March 30, 2012, when DMV released a Request for Proposal (RFP) to solicit bids for a replacement of the existing program and systems which include both safety and emissions inspection program management. A total of five (5) vendors submitted bids for managing the next program which will be called NYVIP2.

After bid evaluation and subsequent approval by the Office of the State Comptroller (OSC), the contract was awarded to Systech International, LLC.

Beginning on December 1, 2013, Systech will be the new program manager for NYVIP2. As you were advised in NYVIP Message No. 81 on June 5, 2012, the new program will require that inspection stations purchase a new computerized vehicle inspection system (CVIS). The purchase price of a new NYVIP2 CVIS initial unit will be \$1,375.00, which is \$289.00 less than a base unit at the beginning of the current NYVIP program in 2004.

Most components of NYVIP2 station equipment and operations will remain familiar to all existing stations. However, NYVIP2 equipment and software will include upgrades that will allow both the inspection stations and DMV to better serve their customers as well as reduce the costs of operating a New York State Official Inspection Station.

Systech's NYVIP2 website and HelpDesk contact information will be made available soon. At that time, Systech will offer Station Participation Agreement packages to all existing inspection stations on their website. Instructions will be provided for how and when you need to reply. It is extremely important that you respond in a timely manner.

Below are frequently asked questions (FAQ's) that will help you better understand any changes. Please understand that being an emissions inspection station is voluntary, however, to continue to be an emissions inspection station you are required to participate in NYVIP2 just as you were required to participate in NYVIP. This information is being provided to ensure that you are fully informed when making business decisions and/or renewing your New York State Official Inspection Station license.

Again, the Systech NYVIP2 Website and HelpDesk contact information will become available soon and will be provided to all existing stations. We are providing you this information without delay as we continue preparations to smoothly deliver the new program to all stations that wish to continue to participate. Additional information including contact information for Systech and their web address will be provided to you as soon as it becomes available.

1. What is NYVIP2?

NYVIP2 is the vehicle inspection program that will replace the current vehicle emissions inspection program known as NYVIP (New York Vehicle Inspection Program). Emissions testing is required as part of New York State's agreement with the EPA to comply with the Federal Clean Air Act.

Similar to NYVIP, the NYVIP2 work station will electronically communicate with the on-board diagnostic (OBD) system of vehicles, record the status of the vehicles emission system, and transmit the data to DMV via the program contractor.

2. Do I have to purchase NYVIP2 equipment?

Yes, in order to continue participating in the voluntary inspection program, inspection stations will be required to purchase the new computerized vehicle inspection system (CVIS). The new equipment will accommodate the changes incorporated into the NYVIP2 program and allow for improvements in the operating platform for future changes to the program.

3. What costs are associated with the NYVIP2 program?

a) Initial CVIS unit – Systech will provide one NYVIP2 initial unit to each station for \$1,375 (which is \$289 less than the base unit cost at the beginning of the program in 2004). The base unit includes all equipment and software necessary to perform inspections. Leasing is available together with additional options.

b) Transaction fees – Stations will continue to pay the Contractor for each inspection conducted. The current contract requires a “per call” fee. The current charge is \$0.398 cents per call for a total of \$0.796 cents for most inspections. This has been simplified in NYVIP2. Systech will charge one transaction fee, per inspection, of \$0.436 cents. (See #17 below) Stations will pre-pay transaction fees in minimal blocks of 20 (\$8.72). Therefore, with the implementation of the new contract, the average station will realize an annual transaction fee cost reduction of approximately 38%.

c) CVIS Connection to Systech-- Inspection stations must provide a NYVIP2 CVIS communications connection and are responsible for any related charges. If you choose to connect to Systech by direct-dial telephone via a dedicated phone line, you may incur telephone related charges from your telephone company. It is highly recommended that stations save the cost of the dedicated phone line and use a broadband connection (wired or wireless). Almost 40% of all stations are currently connecting via broadband. Many more stations already have broadband in the building. (See #14 below) Broadband connections can be shared with your regular business network and will also make the inspection go faster!

4. When will I need to use the new inspection equipment?

You will continue to use the inspection equipment you currently have until notified otherwise. Systech will provide station participation agreements before the NYVIP2 start date; you must have the NYVIP2 equipment operational in order to continue to perform inspections after the official start date.

5. What equipment does the base NYVIP2 include?

- Dell PC
- HP 19” monitor
- Web Camera
- Xenon Barcode Scanner
- OBDII interface (data acquisition device)
- Okidata Printer

6. What do I do with my old equipment?

The equipment belongs to you and can be disposed of (recycled) or reused elsewhere as you like. However, other than the storage cabinet, NYVIP equipment CANNOT be used in connection with the NYVIP2 program.

The current (CVIS) NYVIP electronic components contain hazardous elements and compounds, including lead, mercury, and cadmium, which can be toxic if released into the environment. Electronic waste CANNOT be thrown out in your garbage. Electronic waste is often hazardous waste. When it is properly recycled, most electronic waste is exempt from hazardous waste regulation. Regulations for handling of electronic waste are available from your local government and can be found at: <http://www.dec.ny.gov/chemical/8788.html>. Systech will offer a service to remove and recycle the old NYVIP units as an option.

7. Does the new equipment include a warranty?

Yes. The NYVIP2 equipment is covered under warranty against defects and failures due to normal wear and tear for the seven (7) years of the contract. There is no additional cost for the warranty, the warranty cost for an initial unit is included in the “transaction” fee. The warranty does not cover defects caused by customer abuse.

8. How does the new equipment operate?

The NYVIP2 workstation will basically follow the same operational procedures that the current system uses. A certified inspector will enter vehicle information and safety inspection results. The workstation will then guide the inspector to perform the proper emission test and record the results. The NYVIP2 unit will offer Computer Based Training (CBT) to instruct inspectors how to use it.

9. How do I set up the equipment?

The NYVIP2 CVIS will be drop shipped with setup instructions. Operating software will be preinstalled and peripherals will be plug-and-play. A dedicated help desk will be available to assist users by phone. Systech field service representatives will be available for an onsite visit if necessary.

10. Do I have to sign any contracts with Systech?

Yes, like your NYVIP agreement with Testcom, if you want to participate in this program, you will be required to enter into a station participation agreement with Systech. This agreement will be posted on Systech's NYVIP2 website once the website is operational.

11. What type of vehicles can I inspect in the NYVIP2 Program?

You will be limited to inspect those groups of vehicles that you are currently licensed to inspect.

12. Do I have to obtain a new inspector's card or certification?

No. You will continue to use the inspector's card you have now.

13. What are my communications options for NYVIP2?

The NYVIP2 CVIS will support three (3) different types of connections. You can choose to use broadband (wired and wireless), dial-up, or dial-up internet. This gives you the flexibility to choose an option that best fits your business needs.

Most inspection facilities already have a broadband (Internet) network in their building that can be shared with the NYVIP2 unit. Longstanding regulations (NYCRR 79.9 (d)(2)(vii)) require that, if you use a telephone line it must be a dedicated line (It cannot be used for a fax machine, credit card machine, as a voice line, etc.). Therefore, you are encouraged to use broadband to eliminate the costs for the dedicated line. NYVIP2 will also include a wireless option to make using broadband even more effective. Systech can provide more information and discuss these options with you.

14. What optional equipment or upgrades may be available?

Systech has proposed the following options which, pending DMV testing and approval, will be available to stations.

- Professional Cabinet
- Diesel Opacity meter (after DEC certification)
- Wi-Fi Communication Card for in-station wireless LAN
- Wireless OBD
- Wireless Barcode Scanner
- Large monitor replacement
- Bluetooth Wireless Headset for hands-free safety inspection
- OBD Verification Tester

The wireless optional equipment provides greater freedom of equipment location, and faster data entry methods with fewer mistakes.

15. What improvements will be included in NYVIP2?

- NYVIP2 reduces inspection-related fees for businesses. An average inspection station will realize a savings of \$845.00 over the seven years of the contract.
- NYVIP2 will support automated bill payment.
- The CVIS will allow access to Systech, DMV, DEC, and other selected websites.
- This contract will include improved service for emissions-related problems. Systech will maintain a dedicated help desk for inspection stations and motorists to help with OBD related issues or problems.
- System software updates will be done electronically in the background and there will be no need to load CD's for updates.

16. How long is the contract with Systech?

The Contract with Systech will become effective on 12/1/2013 and will continue for a period of seven (7) years, and includes a renewal option for up to 2 additional years.

17. Can I purchase more than one NYVIP2 workstation?

Yes. However, additional CVIS units are priced and warranted differently than initial units. Additional information will be made available in the near future.

18. When can I place my order for the equipment?

Arrangements are currently being made to prepare for all initial NYVIP2 orders. You will be notified through an existing NYVIP CVIS message and the NYVIP2 website.

19. Will there be a change in inspection fees?

No. Inspection fees, which are set in regulation, and sticker fees, which are set in law, are not affected by this contract.

20. What happens next? What if I have questions?

DMV will follow up this communication with contact information for Systech including help desk numbers and website addresses. This information will be sent to stations, owners, and trade associations via the current NYVIP system. Please be on the look out for NYVIP2 updates.

NYVIP MESSAGE #81

DATE: 6/5/2012

TO: NYVIP INSPECTION STATIONS

FROM: NYS DEPT. OF MOTOR VEHICLES

SUBJECT: REPLACEMENT OF NYVIP EQUIPMENT

The DMV contract with SGS Testcom for the NYVIP program will terminate on November 30, 2013. On March 30, 2012, DMV released a Request for Proposal (RFP) to solicit bids for a replacement to our NYVIP safety and emissions inspection program. The next program will be called NYVIP2. NYVIP2 will require that inspection stations purchase a new computerized vehicle inspection system (CVIS). The initial purchase price for a basic NYVIP2 CVIS unit will not exceed \$1700.

This message is being provided to ensure that you are fully informed when making business decisions that may include adding additional NYVIP equipment under the current contract and to help in planning your budget for 2013. Additional information will be distributed to you as it becomes available.

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.

\$afety Group 536

With a Financial history like this you have
lots of reasons to smile.



DIVIDEND HISTORY

35%	2010-2011
35%	2009-2010
35%	2008-2009
35%	2007-2008
30%	2006-2007
30%	2005-2006
25%	2004-2005
22.5%	2003-2004
17.5%	2002-2003
10%	2001-2002
15%	2000-2001
30%	1999-2000
40%	1998-1999

DISCOUNT HISTORY

25%	2012
25%	2011
20%	2010
20%	2009
20%	2008
25%	2007
25%	2006
25%	2005
20%	2004
20%	2003
20%	2002
20%	2001
30%	2000

Current Group Management took over for the 04-05 policy year
2008 20 % Discount due to 18% rate decrease

Lawley
INSURANCE



New York State Insurance Fund

Workers' Compensation & Disability Benefits Specialist since 1914

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

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

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*OVER 25%
SAVINGS

Get ProDemand for **\$115** per month!

ProDemand provides repair, diagnostic and maintenance information to help professional technicians complete their jobs *faster, easier* and *smarter*. You get information from service repair manuals presented in a consistent, easy-to-use format, with all of the factory specifications and procedures, computer diagnostics, electrical wiring diagrams and detailed illustrations delivered in a single lookup. ProDemand Estimator gives you quick access to the labor times and OEM parts prices you need to build accurate estimates.

PRODEMAND ADVANTAGES

COMPONENTS — Your critical tasks together in one tab-based, intuitive interface

CODES — Diagnostics just got a whole lot faster and easier with smart search

SERVICE MANUAL — All your OEM data in a familiar interface, now streamlined for faster, easier access

ESTIMATOR — OEM Labor times and parts pricing for domestic and imported vehicle models going back to 1983

MAINTENANCE — Easy access to factory-recommended tasks and specs

SURETRACK™ — Diagnostic resource with a unique combination of intelligence, expertise and real-world parts replacement data.

VINTAGE — Mitchell 1's database of information for vehicles built prior to 1983



*Rules

First 6 months at advertised price. A 12-month contract is required.

Promotion is available for a limited time only. Cannot be combined with any other discounts.



For more information or to find your local Mitchell 1 representative, visit www.mitchell1.com or call 888-724-6742.

Promo Code: 6+6

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SAVE BIG WITH TEAMWORKS

*OVER 25%
SAVINGS

Get the leading Shop Management and Repair Information
for the low price of **\$150** per month!

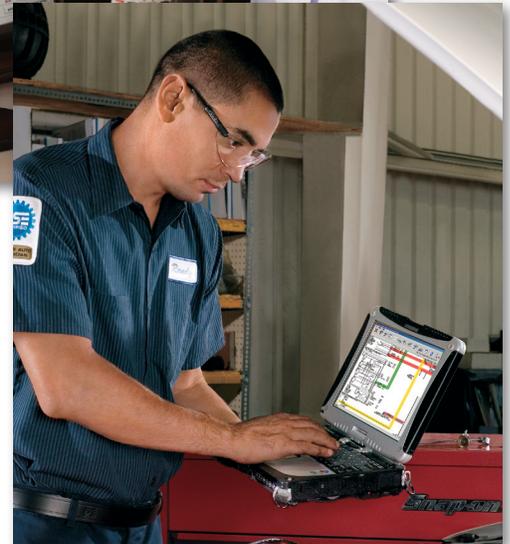
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PRODEMAND™

ProDemand provides repair, diagnostic and maintenance information to help professional technicians complete their jobs **faster, easier** and **smarter**. You get information from service repair manuals presented in a consistent, easy-to-use format, with all of the factory specifications and procedures, computer diagnostics, electrical wiring diagrams and detailed illustrations delivered in a single lookup. ProDemand Estimator gives you quick access to the labor times and OEM parts prices you need to build accurate estimates.



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First 6 months at advertised price. A 12-month contract is required.
Promotion is available for a limited time only. Cannot be combined with any other discounts.



For more information or to find your local Mitchell 1 representative,
visit www.mitchell1.com or call 888-724-6742.

Promo Code: 6+6

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SSRA

Service Station and Repair-shop Association of Central New York

HEALTH INSURANCE PROGRAM

If you are going without health insurance, you are taking a big risk. Now is the best time to stop exposing yourself to high medical costs. Even if you have insurance, you will want to check how our health insurance programs can better suit your needs. Here are some of the benefits of our program:

- **Reduced premiums by being a member of our groups.**
- **Programs provided by a variety of providers.**
- **Choose from a wide selection of plans.**
- **Tailor your insurance to best suit your needs.**
- **Participating employees may choose different plans.**

Let us work with you to find the best program at the best price. We will send you more information, and help you to navigate the selection of plans and options to find the one that is best for you.

**To find out more information call
Ralph Bombardiere at (607) 398-7260**