



# SSDA News

*Service Station Dealers of America and Allied Trades*

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## INSIDE THIS ISSUE:

E15- Bad for Engines	1
Netdriven	2, 3
Maine Paid Leave Law	4
Employers to Display Postings	4
U.S. Aims to Make Fossil Fuels Cleaner	5
Corporate Transparency Act- Need Input	6, 7
Journey to Autonomous	8, 9
Lifted Ethanol Ban, Energy Will Sue	10
Save the Date for Vegas!!	11
Federal Ethanol Rulemaking Issued By EPA	12
Opinion	13
Mid-Year Government Affairs Update	14, 15
EEOC Quarum	16
Overtime Decision in MA	16
2019 Officers/ Contact Info	17

## E15 Gasoline Blend Good for Farmers; Bad for Engines

By Roy Littlefield

Reactions are mixed to the Trump administration's Environmental Protection Agency lifting a summertime ban of E15, a gasoline blend made of 15 percent ethanol.

Corn and soybean farmers praise the action while officials in the boating industry and others criticize it, saying gasoline with 15 percent ethanol will damage engines.

Don LaBar, head of the service shop's marine and boat division at Caddie Labar's boat dealer in Dallas, called E15 "junk" and said it can impact gas lines, carburetors and fuel systems and cause rubber to break down.

A spokesperson for the U.S. Environmental Protection Agency said E15 can be used in flexible-fuel vehicles, model year 2001 and newer cars and light-duty trucks.

Yet, Subaru officials caution drivers with newer vehicles in their owners' manuals not to use gasoline that contains more than 10 percent ethanol.

Bobby Murray, service manager for Minooka Subaru in Moosic, said E15 could damage fuel injectors and seals. Subaru also doesn't cover E15 under warranty.

Dan DelBalso, co-owner of Pat & Dan's DelBalso Ford in Kingston, doesn't recommend using E15 in newer Ford vehicles. If they are flexible-fuel vehicles, however, it is OK, he said.

Other automakers, including BMW, Mercedes, Mazda, Mitsubishi and Volvo, have vehicle models not approved for E15 since it can harm engines and drivers are encouraged to check their owners' manuals.

E15 should not be used in boats as well as vehicles with heavy-duty engines such as school buses, transit buses and delivery trucks,

on-highway and non-road motorcycles, snowmobiles, engines in equipment such as lawnmowers and chainsaws as well as model year 2000 and older cars, light-duty trucks and medium-duty passenger vehicles, the EPA spokesperson said.

The new rule from the Trump administration and EPA will allow some gas stations to sell blends containing up to 15 percent ethanol year-round. It ends a summertime ban that former President Barack Obama's Environmental Protection Agency imposed in 2011. Some Sheetz stores in Northeast Pennsylvania, including locations in on Route 93 in Sugarloaf Twp., West Front Street in Berwick and 500 Mount Pleasant Drive, Scranton, have E10 and E15 available.

In addition to damaging marine engines, he said E15 is prohibited by federal law to be used in small engines in lawn mowers, chainsaws and other power equipment.

Gas pumps that include E15 are marked with a very small orange label which Donahue said is not enough to protect consumers from misuse. He is concerned when people fill up at gas stations during summer boating season, a rising number of them will use the wrong fuel that contains the blend with 15% ethanol.

More than 60 percent of Americans mistakenly assume that any gas sold at their local station is safe for all their products and nearly nine in 10 say the government should do more to protect consumers from "misfueling" with E15, he said.

The Trump administration also recently announced the federal government will spend an additional \$16 billion to help farmers hurt by the trade war with China.



## "5 Features That Will Make Your Website Stand Out From The Crowd"

*By: Net Driven*

A report from SmallBusiness.com shows that two thirds of small businesses in the United States have a website, with this number expected to grow each year. While having a dedicated website for your automotive repair shop is important, so is standing out from the increasing competition.

Today, we dive into five features that help your auto repair website gain the edge over competitors and engage your visitors.

### Responsive Design

A responsive website is one that adapts to the height and width of different devices, including desktop computers, laptops, mobile phones, and iPads. With a responsive auto repair website, it doesn't matter whether your visitor is on a smartphone with a 6" screen or a desktop computer with a 14" monitor; everyone gets the same content, scaled up or down on their device.

Search engines like Google promote responsive web design for several reasons. Responsive sites make it easier to share your website thanks to having a single URL, save time on development and updates, and make it easier for the Googlebot to crawl your website (which helps your website get found on Google).

Mobile traffic numbers make another case for responsive websites. Google confirmed in 2015 that it sees more mobile searches than desktop searches in ten countries, including the United States. As more people utilize their phones to find automotive repair shops, you want to make sure you're providing the best user experience possible. A responsive site helps you create a good experience for more people on more devices.

Despite all these pros, not all websites are responsive yet. By making your auto repair web-

site responsive, you'll stand out from competitors who have yet to make the change while improving your user experience.

### Photo Gallery

Research consistently shows that real photographs perform better than stock photography. This is one reason Net Driven has a Photo Gallery module for auto repair websites. The great news is that taking photos of your auto repair shop, completed projects, and products takes time. This means not everyone puts in the effort to do it. And when they do, real photos still let you differentiate your website from theirs.

A photograph of a completed lift kit installation shows a potential customer what to expect. It elicits trust and shows you have pride in your business, inventory, and work. Today, you can even give a virtual tour of your automotive service center through [Google's indoor Street View service](#).

You don't need a state-of-the-art camera to get started, either. Good lighting paired with a good smartphone camera can give you the start you need. Just try to avoid blurry, dim photos.

### Diagnostic Center

One of the first steps in successful marketing is identifying your audience and their needs. When it comes to your auto repair shop website, you need to diagnose when and why people come to your site. If they're repeat customers, they might be ready to schedule a service with you. If they're new visitors, it's reasonable to assume they have a car problem and are looking for an automotive service provider in the area.

Now go a step further. While some of your website visitors know what's wrong (a brake repair for example), others don't have the technical aptitude to identify the source. When the check engine light turns on, this audience's first

*Continued on page 3*



## NET DRIVEN

*Continued from page 2*

thought isn't "where do I go" but "what's wrong?" You can attract traffic from this crowd with an online diagnostic center. This auto repair website feature lets visitors fill out a quick form about what they're experiencing. Once they answer the prompts, they'll receive a list of the most likely causes of the problem and the appropriate repair solutions.

Giving website visitors the answers they need when they need them is a great way to build rapport. It's also a good way to attract traffic to your auto repair website. While the competition may only provide examples of the services they provide, you can go a step further and catch individuals who want to know what's wrong now.

### Valuable Content

"Content" is a general term that refers to more than web copy. The content on an auto repair website can include blog posts, photos, videos, downloads/e-books, and individual pages dedicated to a service or product. High quality content contributes to search engine optimization (SEO) and provides value to your customers.

For example, an auto body repair shop might post an article about the auto insurance process to preempt customer inquiries and attract search traffic for associated keywords and keyphrases. Similarly, an auto repair shop might have a video that discusses different types of brake pads or a time lapse video of a repair. Before and after photos of a completed service are another great way to set your website apart and keep visitors on your website (Google uses "time on site" as an SEO ranking factor since it shows people are interested in your content).

One way Net Driven provides value is through the Automotive Q&A. This informative guide answers questions about the role of an automotive system or part. It helps potential customers understand why a service is important and when that service is recommended.

### Online Scheduling

You might not expect an online scheduling form to make the list of features that separate you from the competition, but not every auto repair website offers this ability.

J.D. Power found that online scheduling tends to improve customer satisfaction, with instances of online scheduling increasing from 9% in 2015 to 13% in 2017.

In a way, your website is like a 24/7 employee when you have an appointment scheduler. Even after you shut the doors for the night, your website is active. It provides the information potential customers need and takes down information for appointments.

The convenience for the visitor also shouldn't be overlooked. If someone forgets to call your business during the day, they can still schedule at night without worrying that they'll forget again tomorrow.

An online service scheduler provides convenience and gets you one step closer to revenue, since this step indicates a person is highly engaged with your website and business. You may even win over customers who were trying to schedule with another auto repair shop afterhours but weren't offered the ability.

And there you have it – five excellent ways to make your auto repair website stand out against the crowd (especially when combined). At the end of the day, every basic auto repair website will tell customers the hours, list the services provided, and provide a phone number/address. Truly great auto repair websites provide more value for their customers and get rewarded with better SEO signals in the process. It's a win-win for you and your customers.

For more website product solutions, check out [Net Driven Website Features](#).

## Maine Passes Broadest Paid Leave Law

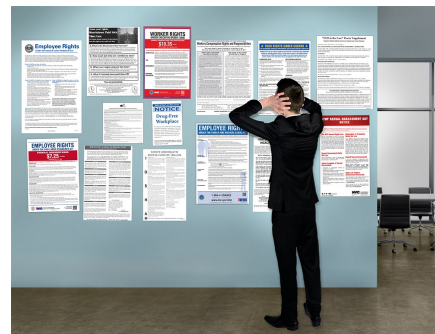
The Maine State Legislature has passed a bill that would require private employers with ten or more employees to provide 40 hours of paid leave each year—with no restrictions on permissible uses. While other states require paid sick leave to allow employees to deal with illness, or paid family leave to allow employees to bond with newborns, Maine’s legislation would permit employees to take paid leave for any reason.



## All Employers Are Required to Display Federal and State Postings

All employers are required to post certain federal and state postings. On a federal level, if an employer has less than 50 employees, they are required to post 5 notices: Fair Labor Standards Act; Employee Polygraph Protection Act; Equal Employment Opportunity; Uniformed Services Employment and Reemployment Rights Act; and Occupational Safety and Health Administration. If an employer has 50 or more employees, federal law requires that

they also post a notice related to the Family and Medical Leave Act. Each state has varying requirements on what notices must be posted.



## Energy Secretary: US Aims to Making Fossil Fuels Cleaner



The Trump administration is committed to making fossil fuels cleaner rather than imposing

“draconian” regulations on coal and oil, U.S. Energy Secretary Rick Perry said at an energy conference in Salt Lake City.

Perry previously said the administration wants to spend a half-billion dollars next year on fossil fuel research and development as demand plummets for coal and surges for natural gas.

“Instead of punishing fuels that produce emissions through regulation, we’re seeking to reduce those emissions by innovation,” Perry said at the conference.

Fossil fuel emissions have been cited by scientists as a major source of global warming. United Nations Secretary-General António Guterres recently said the world must change how it fuels factories, vehicles and homes to limit future global warming.

Perry said the Trump administration has proven it can make energy cleaner, but he provided no details involving coal and other fossil fuels other than the closing of old, inefficient coal-burning power plants and exporting increasing volumes of natural gas, an alternative to coal. Department of Energy spokesman Dirk Vandebek didn’t immediately return an email and voicemail seeking more details about Perry’s claim.

Perry pointed to an overall drop in emissions as proof of progress.

Greenhouse gas emissions dropped 13 percent from 2005-2017, according to the most recent report from the Environmental Protection Agency.

Lindsay Beebe of the Sierra Club in Utah said trying to make fossil fuels cleaner is misspent energy.

“I don’t know that it’s possible right now, but what is ready right now are renewables. Wind, solar and geothermal are commercially viable and at scale,” Beebe said.

The summit was briefly interrupted when 15 protesters took the stage to criticize the administration’s fixation on fossil fuels. They said the misguided approach ignores climate change before they were escorted out by police.

After they left, Utah Gov. Gary Herbert, who sponsored the event, said he and other leaders appreciated the “youthful enthusiasm” but their call to immediately discard fossil fuels and shift entirely to renewable energy isn’t realistic.

“They would like us to quit by Friday and not take anything out of the ground,” Herbert said. “That obviously doesn’t work from a practical standpoint.”

Americans burned a record amount of energy in 2018, with a 10% jump in consumption from booming natural gas helping lead the way, the U.S. Energy Information Administration said.

Fossil fuels in all accounted for 80% of Americans’ energy use.

## Corporate Transparency Act– We need your input!

Legislation recently introduced in Congress (H.R. 2513, “The Corporate Transparency Act”) to crack down on anonymous shell companies and allow law enforcement to “follow the money”, has set off a storm of protest by associations representing small businesses.

SSDA-AT is reaching out to affiliates for your thought and recommendations.

### **BACKGROUND**

Anonymous incorporation isn’t difficult for criminals to do – no U.S. states currently require companies to provide identities of the company’s true, beneficial owners. This makes it very easy for criminals and other bad actors to manipulate the system and launder or hide money via anonymous shell companies.

### **What This Bill Does:**

- Requires corporations and limited liability companies disclose their true, beneficial owners to FinCEN at the time the company is formed.
- Establishes minimum beneficial ownership disclosure requirements: must provide beneficial owner’s name, date of birth, current address, and driver’s license or non-expired passport number.
- Requires companies to file annually with FinCEN a list of its current beneficial owners, as well as a list of any changes in beneficial ownership that occurred during the previous year.
- Provides civil and criminal penalties for persons who willfully submit false or fraudulent beneficial ownership information, or who knowingly fail to pro-

vide complete or updated beneficial ownership information.

### **Provides Much-Needed Transparency While Avoiding Excessive Burdens:**

- Beneficial ownership information collected by Treasury or the states will only be available to: (1) law enforcement; and (2) financial institutions, with customer consent, for purposes of complying with their “Know Your Customer” requirements under Anti-Money Laundering law.
- It is narrowly tailored so as not to be overly burdensome to either businesses or the states themselves – the bill targets companies that are more likely to be shell companies.
- Many companies are already required to disclose their beneficial owners, such as Federally regulated banks, credit unions, investment advisers, broker-dealers, state-regulated insurance companies, churches, and charitable organizations. As such, these companies are exempt from the bill’s requirements.
- Companies with over 20 employees and over \$5mm in gross receipts or sales, and which have a physical presence in the U.S., are also exempt from the bill’s requirements, because companies that employ this many people and that legitimate, business-related income are very unlikely to be anonymous shell companies that were created to hide or launder illicit funds.

Congresswoman Carolyn B. Maloney (D-NY), Congressman Peter King (R-NY), and

*Continued on page 7*

## Corporate Transparency Act— We need your input!

*Continued from page 6*

Congressman Tom Malinowski (D-NJ) introduced H.R. 2513 to require companies to disclose their true, beneficial owners at the time the company is formed to prevent bad actors from using anonymous shell companies to thwart law enforcement and hide their illicit activities.

“It is absurd that the US allows criminals to launder their money here. We’re the only advanced country in the world that doesn’t already require disclosure of beneficial ownership information and my Corporate Transparency Act will change that,” **said Congresswoman Maloney.**

“Anonymous shell companies have become the preferred vehicle for money launderers, criminal organizations, and terrorist groups and we’re letting these bad actors get away with criminal actions even though law enforcement has asked us to fix this gaping hole in our criminal code. I’m proud to once again introduce this bill with my friend Rep. King, and with Rep. Malinowski, and am hopeful that we can pass it with bipartisan support.”

“Criminals are taking advantage of state laws by establishing firms – often without a physical presence or business activity – to access our banking system,” **said Congressman King.** “The Corporate Transparency Act targets this problem by requiring a company that has the characteristics of a shell corporation to disclose who benefits from the company’s operations and makes that information available only to law enforcement. This simple requirement would enable law enforcement to stop money from flowing across our borders to terrorist organizations.”

In a letter to House of Representatives members, Juanita Duggan, President and

CEO of NFIB expressed serious concern about the bill, noting that it would impose “burdensome, costly, and intrusive requirements” on legitimate small business owners.

Asserts Duggan, “the legislation requires corporations and limited liability companies that have fewer than 20 employees to file new reports with the Treasury Department’s Financial Crimes Enforcement Network regarding beneficial owners of the corporation to company, including reports within 60 days of any change in beneficial ownership and annual reports on ownership.

The legislation imposes its reporting mandates on those least equipped to handle them. Moreover, the legislation makes it a federal crime to fail to comply with the reporting regime, with civil penalties of up to \$10,000 and criminal penalties of up to 3 years in prison.

While large businesses and financial institutions may have access to teams of lawyers, accountants, and compliance experts to gather beneficial ownership information and report it to the government, small business owners do not.

Small business owners cannot afford accounting and legal experts to help them understand and comply with the new federal reporting.”

SSDA-AT appreciates the intent of the legislation. But would the bill as written create undue burdens on small business owners?

Should SSDA-AT weigh in on this issue?

Please give us your thoughts. Thank you.

## The Journey to Autonomous Operations

Autonomous installations have the potential to save operators money by enhancing operational stability for more uptime and increased safety. Achieving those benefits requires confidence from companies and regulators. Companies like ABB are part of the drive toward autonomy for topsides and subsea installations.

Some of the biggest cost savings in the oil industry have come in the facilities design and engineering phase with the move from manned facilities to remotely operated facilities to unmanned, says Håvard Devold, group vice president, Digital, ABB Oil, Gas & Chemicals lead. Even so, these installations still require someone at a central facility keeping track of operations.



“We are on a journey towards autonomous. Today, ‘autonomy’ involves dealing with expected and unexpected issues and only calling for assistance in the most critical of situations,” Devold says.

On a scale of one being not at all autonomous and five being highly autonomous, Devold estimates the oil and gas industry’s

capability for autonomy is reaching stage four. Many technologies were needed to achieve this stage, including predictive maintenance, robotics and drones, digital twins and artificial intelligence.

Moving the industry to stage five is no one-size-fits-all task, says Susan Peterson Sturm, digital lead for ABB’s overall Energy Industries business. The risk associated with the specific operations and the variables in the processes are major factors. Barrier management is crucial, she says, with management performance operations such as dashboards of safety systems an enabling technology for actionable data historically “stuck in the realm of spreadsheets.”

Condition monitoring systems pair with predictive maintenance to bring the industry one step closer to full autonomy. ABB implemented a condition monitoring system at Equinor’s Aasta Hansteen project in 1,300 meters of water in the Norwegian Sea. The system monitors more than 100,000 maintenance conditions from more





## The Journey to Autonomous Operations

*Continued from page 8*

than 4,000 pieces of equipment, with tools for alarm management and alarm rationalization, delivery of several safety critical applications, data storage solution to store all alarms and events easily, and third-party system integration of essential data traffic.

“There is a tremendous amount of value of taking that risk, and those indicators from the field, to give real-time visibility, and in coupling it with maintenance-related risk,” she says.

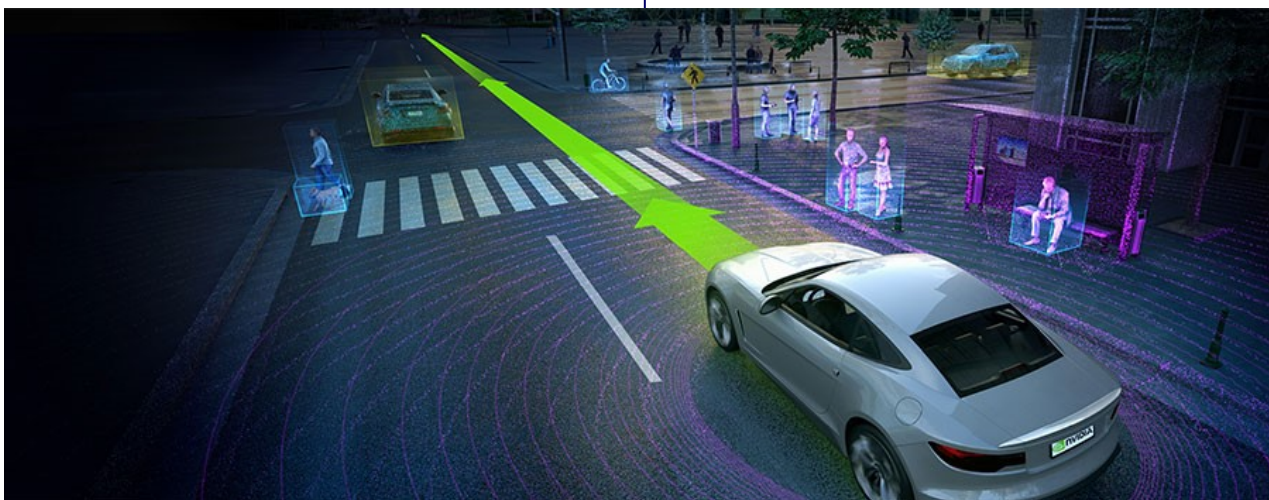
Devold says autonomous operations will reduce operational expenditure and the carbon footprint of a project, and any re-engineering carried out in the name of autonomy will likely improve processes and help reduce shutdowns.

For the industry to buy into fully autonomous operations, there must be confidence that the operations are safe and that the equipment can deal with problems, he says.

One of the reasons is that when something catastrophic goes wrong, it’s typically not the result of a single problem, but a cascade of issues that “gang up” on the system and overwhelm it, he says. As a result, it’s important that people continue to feel in control and that the system is able to trigger human intervention if needed.

As an example involving ABB, he cited the ice-class passenger ferry Suomenlinna II, which was remotely piloted late last year through a test area near Helsinki harbor. That run showed human oversight of vessels from anywhere is achievable with current technologies.

“It’s autonomous, and it can do it,” Devold says, “but there was still a guy on there and an e-stop button, for peace of mind and reassurance a person can take action if needed. This is a step forward as we move toward true autonomy.”



## **Trump Administration Lifts Summer Ethanol Ban; Energy Industry Vows It Will Sue**

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The Trump administration has decided to approve expanded use of ethanol fuel, a move that will help corn farmers hurt by the trade conflict with China—and that might pay political dividends for President Trump in farm-belt states such as Iowa.

Under the decision to be made public Friday, the Environmental Protection Agency will allow gasoline with a 15% mix of ethanol to be sold year-round, instead of just eight months a year, effective as soon as it is published in the Federal Register, which officials expect to happen within days.

The move has been opposed by oil companies and environmentalists, who object that it could lead to higher prices at the gas pumps and increase air pollution during the summer months when 15% ethanol fuels had been banned.

They are expected to sue to try to block the move.

The decision could be a boon to farmers in places like Iowa, the No. 1 corn and ethanol-producing state that Trump won in the 2016 election and needs in the 2020 election.

Trump plans to talk up the new policy in coming trips to Iowa and other farm-belt states, say people familiar with those plans.

EPA Administrator Andrew Wheeler said the changes weren't motivated by political considerations or to appease farmers who have lost crop sales as a result of retaliatory tariffs China imposed on U.S. crops.

He framed the rule changes as a fix to a troubled program that will boost sales for farmers and ethanol producers.

## SAVE THE DATE!!

### SSDA-AT TO HOST ANNUAL MEETING IN LAS VEGAS

SSDA-AT will host its annual meeting in Las Vegas in conjunction with the SEMA show on Friday, November 8, 2019.

The SEMA show runs from Tuesday, November 5th to Friday, November 8th.

The SSDA-AT meeting will take place in the Las Vegas Convention Center Room S116 beginning at 9 am on November 8th.

More details and an agenda to follow!

To order a trade show pass:

[CLICK HERE](#)

To explore hotel options:

[CLICK HERE](#)

And to RSVP officially to the event, contact:

Roy Littlefield IV at [rlittlefield2@tireindustry.org](mailto:rlittlefield2@tireindustry.org) or call 301-467-1995.

We look forward to having you at the event!



## Federal Ethanol Rulemaking Issued By EPA



The U.S. Environmental Protection Agency (EPA) issued a final rulemaking that allows gas stations around the country to sell E-15 (gasoline that's 15% ethanol) during the summer months (June 1 through September 15).

The rule overturns the EPA's long-standing prohibition on the sale of E-15 during high-ozone season by allowing the fuel to use the 1 pound per square inch (psi) Reid Vapor Pressure (RVP) waiver, which was previously limited to summer sales of E10.

In the short-term, the EPA rule will face legal challenges and a court may disallow E-15 summer sales pending a decision.

If deemed legal, marketplace sales may not be immediate. Instead, like E10, the number of gas stations selling E-15 may gradually expand and the availability of

pure gas would continue to decline.

SSDA-AT opposed the EPA rule allowing expanded E-15 sales.

Ethanol, especially in higher concentrations such as E-15, can cause damage to vehicles manufactured before 2001, and certain high-performance parts.

A federal law called the Renewable Fuel Standard (RFS) is the primary driver for E-15 sales.

The EPA has turned to E-15 since the U.S. is not meeting RFS blended fuel mandates through sales of E10.

SSDA-AT has urged the U.S. Congress to remove or lower the mandates.

Thank you to all the automotive enthusiasts who contacted the EPA in opposition to the EPA's proposal to allow year-round E-15 sales.



## Opinion: HOW MEANINGFUL WORK ENCOURAGES KNOWLEDGE SHARING



Sharing knowledge throughout the organization is a crucial aspect of any knowledge-driven business, but some cultures encourage it far more than others. A recent study from Curtin University suggests the root of a knowledge sharing culture has to be in giving workers purpose and enjoyment.

The research set out to examine just what it was that motivated people to share knowledge with their peers, or indeed what might motivate them to withhold information, even if it has been explicitly requested.

“Our research found that employees were more likely to share information if they were required to engage in tasks that required them to solve complex problems or process information, or if they had autonomy in their job, meaning they had the power to prioritize their work and use personal initiative when making decisions,” the authors explain.

They were more likely to withhold information however if they felt that there was unequal balance between them and their colleague.

For instance, if they felt like the colleague was overly reliant upon them to get their work done, this typically resulted in lower levels of knowledge sharing.

### Designing work

The researchers believe that sharing knowledge throughout the workforce is vital to the success of today’s knowledge-driven companies, where jobs are increasingly complex.

The ability to innovate and solve challenging problems requires an open sharing of knowledge across the business, and so it’s vital to try and develop a culture that supports such sharing. “We looked at three ways employees typically avoid sharing knowledge with their colleagues. These included ‘playing dumb’ or pretending they don’t know something, saying they would share information but never getting around to it, or making up an excuse as to why they could not pass on the information,” the authors explain.

“Further research is needed to determine what other factors may contribute to why employees are likely to hide information from their team members.” Of course, trust also plays a part, both in the workplace more generally, but also in terms of facilitating knowledge sharing. A recent paper from the Niels Bohr Institute provides a further reminder of just how important trust is.

Central to trust is the theory of tit-for-tat, in that we expect others to treat us as we treat them. In a knowledge sharing sense, therefore, we are happy to share knowledge when we’re confident that we’ll receive help when we need it.

This is all part of the culture of an organization, and so it’s vital that a degree of psychological safety is developed as well as one of purpose and engagement.

Probably easier said than done, but if you can master it then it’s much more likely that a knowledge sharing business will emerge.

## Mid-Year Government Affairs Update

So far, 2019 has proved to be a busy one for SSDA-AT in government affairs on both the state and federal levels. Throughout the spring, as state legislatures across the country considered legislation on our industry; SSDA-AT was there to testify, submit comments, and rally dealers in over a dozen states. With strong grassroots efforts, we were able to defeat some harmful legislation; while working to pass sensible bills in other states. We thank our members and our state associations for partnering with us on these efforts. In 2019, SSDA-AT has tracked over 150 state bills in our system. We report on these bills monthly in our state legislative update and on the SSDA-AT website on the interactive map. Making our state issues public and transparent in a variety of applications has engaged the membership to become more involved. When you reach out to a legislator, attend a hearing, or submit comments, you are influencing the process in which new laws and regulations will impact your business and more broadly the tire industry.

On the federal level, infrastructure funding was put back on the front burner as President Donald Trump and Democratic congressional leaders agreed to work together on a \$2 trillion infrastructure package - but put off for later the difficult question of how to pay for it. Senate Minority Leader Chuck Schumer said, "we agreed on a number." That number being \$2 trillion. Asked whether Trump supports raising the gas tax, White House adviser Kellyanne Conway said before the meeting: "This president is the guy who lowers taxes." If there is no gas tax increase, taxes on the tire industry will be considered.

SSDA-AT believes that an infrastructure bill is a jobs bill that cuts across party lines. SSDA-AT has opposed any proposed taxes in past infrastructure proposals that would be harmful to the tire industry. SSDA-AT will continue to report and monitor on these developments and discussions. SSDA-AT attended a meeting at Hyundai Motor Company corporate headquarters in Washington, D.C. on infrastructure. With the convergence of telecom, energy and transportation, new technologies will be increasingly integrated into vehicles and connected roads. As Congress and the Administration become focused on addressing US infrastructure advancements in power, broadband, roads and runways, Hyundai believes that there will be opportunities to leverage projects across sectors. At the event, SSDA-AT participated in a discussion with public and private sector leaders related to vehicle-to-everything communications, 5G for broadband, electrification and renewable energy infrastructure. At the event we met with the Honorable Sam Graves (R-MO), Ranking Member, House Committee on Transportation and Infrastructure, the Honorable Rodney E. Slater, Former US Secretary of Transportation and Co-Chair, Transportation, Shipping & Logistics Industry Group, the Honorable Bill Shuster, Former Chair, House Committee on Transportation

and Infrastructure, and David S. Kim, Vice President, Government Affairs, Hyundai Motor Company. Others included, Shailen Bhatt, President and CEO, ITS America, Dean R. Brenner, Senior Vice President, Spectrum Strategy & Technology Policy, Qualcomm, Mary Brown, Senior Director of Technology and Spectrum Policy, Cisco, Matteo Muratori, Ph.D., Engineer, Integrated Transportation and Energy Systems, National Renewable Energy Laboratory (NREL), and Cordell Schachter, Chief Technology Officer, New York City Department of Transportation.

On the death tax front, SSDA-AT attended an FBETC Coalition Meeting with the focus of repealing the Estate Tax. Rep. Jason Smith (R-Mo.), a seventh-generation Missouri family farm owner who serves on the House Ways and Means Committee and the Budget Committee, along with Rep. Sanford Bishop (D-Ga.), earlier this year introduced the Death Tax Repeal Act (H.R. 218). Rep. Smith addressed SSDA-AT and the coalition at the meeting. Smith noted that getting additional support for estate tax repeal legislation, especially from Democratic members, would take time. "A lot of great things don't happen immediately. We can get there, slow and steady," he said optimistically. SSDA-AT and the 50-plus members of the Family Business Estate Tax Coalition recently sent a letter to Smith, Bishop and Sen. John Thune (R-S.D.), who introduced the Death Tax Repeal Act of 2019 (S. 215) in the Senate, thanking them for their efforts to eliminate the estate tax.

SSDA-AT continues to push for a White House Conference on Small Business (WHCSB). In the 116th Congress, we urge Representatives to pass the "White House Conference on Small Business Act of 2019." This legislation is necessary in the near-term to ensure that small business issues remain at the forefront of policy discussions and also to ensure small business has a voice at the highest levels of the American government.

On the regulatory front, SSDA-AT commented with the Small Business Legislative Council on the Department of Labor's new proposed overtime rules: Defining and Delimiting the Exemptions for Executive, Administrative, Professional, Outside Sales and Computer Employees. SSDA-AT highlighted the impact that these proposed rules might have on America's small businesses and SSDA-AT members. SSDA-AT fully supports the DOL's goal of ensuring that all Americans receive a fair living wage in exchange for their work. SSDA-AT still has concerns that certain aspects of the proposed rules could negatively impact small businesses. However, SSDA-AT does believe that the proposed rules are a significant improvement over the 2016 Final Rule in this area which was enjoined before going into effect and which would have seriously harmed many small businesses and

## Mid-Year Government Affairs Update

*Continued from page 14*

stymied small business growth. In particular, SSDA-AT supports the Department's return to the 2004 methodology for setting the salary threshold for the white-collar exemptions and believes that the proposed threshold is reasonable and consistent with the intent of the Fair Labor Standards Act. SSDA-AT further applauds the Department's decision not to modify the duties tests for the white-collar exemptions.

SSDA-AT remains very involved with OSHA enforcement. SSDA-AT has taken part in several OSHA (Occupational Health and Safety Administration) roundtable meetings thus far in 2019 hosted by SBA (Small Business Administration). At the meetings, we received an update about OSHA enforcement. OSHA inspections have been a huge issue for SSDA-AT members. OSHA is constantly conducting thousands of inspections on the industry and issuing severe fines. This remains a big concern for members. To review some of the statistics from the meeting, last year OSHA conducted 31,202 inspections nationwide. This was a similar number to the previous year. Of those inspections conducted, only 28% of sites were in full compliance. The average fine per violation in 2018 was \$5,016. That number being almost double from the year before. We have learned that OSHA is rarely giving breaks on fines and are issuing large sums for small violations. We are seeing warnings used very rarely. We will continue to raise the concerns of our members to OSHA. SSDA-AT remains in strong communications with OSHA and SBA on tire related issues. These monthly meetings are valuable for the exchange of information between SSDA-AT and these governmental departments.

The last and biggest regulatory issue SSDA-AT has been involved with is tire registration and recall. This year, NHTSA released the Electronic Tire Identification Study. This report is submitted in response to the request by Congress under the transportation reauthorization bill, Fixing America's Surface Transportation Act (FAST Act). The FAST Act authorizes funds for Federal-aid highways, highway safety programs, transit programs, and other purposes. In response to the FAST Act mandate, NHTSA conducted a preliminary study of the feasibility of requiring tire manufacturers to implement electronic identification in all new tires. To do so, NHTSA identified technologies that are currently in use, or being explored for use, for electronic tire identification by industry. Once identified, the technologies were evaluated per criteria such as: technical capabilities, limitations, robustness, availability, and current market use. Some cost information was obtained through stakeholder input, but a full cost-benefit examination was not performed as part of this effort. NHTSA's approach to the study included a review of relevant literature, meetings with industry stakeholders, and time measurements for the pro-

cess of manual collection of TINs from vehicles' tires. Literature reviews included past research, journal publications, press releases, applicable standards, and government regulations. Stakeholders included tire manufacturers, tire retailers, automotive safety advocates, and industry service providers. The TIN collection time measurements consisted of measuring the time it took for an experimenter to visually locate and hand-record, on a piece of paper, the full TIN from all four tires mounted on a passenger vehicle. SSDA-AT worked to have the study performed in the FAST Act language of the bill. We are now analyzing what impact this study may have on our members moving forward.

The findings of NHTSA's preliminary study of the feasibility of requiring tire manufacturers to implement electronic identification in all new tires suggest that it would be technologically feasible for manufacturers to include TIN-based electronic tire identification in all new tires. The study identified two technologies currently in use for tire electronic identification and found that either or both of these technologies could be used to implement electronic TIN information on all new tires. However, while the technologies identified have the ability to accomplish electronic tire identification, no data regarding the long-term durability of these technologies was found during the course of this study. The two primary technologies, RFID tags and 2D barcodes, have advantages and disadvantages that would affect process efficiencies and implementation costs. These differences would need to be thoroughly considered in determining whether implementation of electronic tire identification using one or multiple technologies would garner the most benefits. While some cost information and anecdotal comments noting potential benefits were shared in the context of stakeholder meetings, a full analysis of the costs and benefits associated with implementation of electronic identification in all tires was not performed in the context of this study. The study also concluded that industry action would be needed to develop standard information content and a standard format for the data. NHTSA regulatory action may also be required to ensure that a standard format is followed. The most efficient method of providing electronic tire identification would be to include the TIN locally within the identification tag. Since TINs follow a standard format, encoding the TIN directly in the identification tag would ensure a standard data format. Current electronic tire identification technologies do not follow the same format. However, if the use of multiple identification technologies is desired as opposed to focusing on a single technology, it is believed that a consistent format could be achieved by modifying the content format for one of the technologies to match that of the other.

We anticipate the remainder of 2019 to be busy with a flurry of legislation being considered by the 116th Congress. We

## EEOC Finally Has A Quorum Again



The U.S. Senate has confirmed the nomination of Janet Dhillon as the Chairwoman of the Equal Employment Opportunity Commission (EEOC or Commission). With the appointment of Ms. Dhillon, the EEOC still has openings for the Vice Chair, two Commissioners, and the General Counsel. Regarding the pay data component of EEO-1 reporting, which is now due by September 30, 2019 for years 2017 and 2018: the appointment of Ms. Dhillon does not have any immediate impact on the obligation of employers to comply with the pay data-reporting requirement; however, the EEOC has filed a Notice in the pay data case notifying the court of Ms. Dhillon’s confirmation and stating, “If the Commission takes action related to the Component 2 data collection that is the subject of this litigation, we will promptly notify the Court.”

## Under Massachusetts Law, Commission-Only Inside Salespersons (including Car Dealership Salespersons) are Entitled to Overtime and Sunday Pay

Interpreting the “plain and ordinary” language of the state’s overtime statute and related regulations, the Massachusetts Supreme Judicial Court has held that inside sales employees paid on a 100% commission basis are additionally entitled to pay for overtime hours worked and premium pay for work on Sundays.







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