

THE HORN

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2017 AACT Business Conference-Hilton Head Island, SC

Mark your calendars!!! The 2017 AACT Business Conference will be held September 7-10, 2017. at The Hilton Head Marriott Resort & Spa, Hilton Head Island, SC. Business Conference Chair Sandy Crews, Jacksonville, NC, rescheduled a Conference Committee Meeting for April 12, 2017, and will release the Conference Schedule in the May 2017 issue of "The Horn". Please join us and experience the resort's wonderful island life. Let's make this conference one of our best!!!

LEGAL/ LEGISLATIVE

E-Verify Records Will Soon Be Purged

BY JORGE LOPEZ ON 3/16/17, Littler Publications, Highlights by Sherry Robertson, PHR, SHRM-CP

This is a reminder that, as of March 31, 2017, employers will not have access to E-Verify records that were created on or before Dec. 31, 2006.

E-Verify is an internet-based system that compares information from the Form I-9 Employment Eligibility Verification to information in different government databases. These databases are maintained by the U.S. Department of Homeland Security (DHS), Social Security Administration (SSA), and Department of State (DOS), and contain records to confirm that an employee is properly identified and is employment-authorized. Depending on the circumstances (type and size of the business), the use of E-Verify may be a voluntary or mandatory requirement.

The United States Citizenship and Immigration Services (USCIS) disposes of E-Verify records that are over 10 years old annually, to avoid the risk of the data being compromised. In order to retain case information, E-Verify employers may download and save the new Historic Records Report from E-Verify. The report contains information about each E-Verify case that will be purged. This report is only available through March 31, 2017.

E-Verify recommends that employers write the E-Verify case verification number on the corresponding Form I-9, Employment Eligibility Verification, and retain the historic record with the corresponding I-9. It is prudent for employers to retain these records for existing employees. Those records that should be retained for separated employees should also be downloaded.

In considering what historic records to retrieve and maintain, employers may consider the "purge rule." The purge rule allows employers to destroy an employee's I-9 and corresponding E-Verify records, after the later of one year after termination or three years from the date of hire. All records that are systemically purged, by meeting the purge rule, need not be retained. However, the determination of whether to purge should be considered under advice of counsel.

OSHA Penalties Go Up...Yes, Again

By Tressi L. Cordaro on 1/18/17, highlights by Sherry Robertson, PHR, SHRM-CP

In August 2016, substantial penalty increases were effective on OSHA fines for violations of safety and health regulations (as part of the "Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015". (Sec. 701 of Public Law 114-74)).

This law allowed OSHA a one-time "catch-up" adjustment for civil penalties, followed by annual increases in penalties based on the Consumer Price Index. On January 18, OSHA published the 2017 annual inflation adjustment for penalties.

The 2017 annual adjustment for OSHA penalties is marginally over 1%. The final rule became effective on January 13, 2017. Increased penalties will apply to any penalty assessed after this date. The 2017 maximum penalties are as follows:

- Other-than-Serious: \$12,675
- Serious: \$12,675
- Repeat: \$126,749
- Willful: \$126,749

OSHA published the following table in the Federal Register which should help to eliminate any guesswork regarding the level of penalties to be levied based on the date of the violations and when the penalty was assessed.

Violations occurring	Penalty assessed	Which penalty level applies
On or before Nov 2, 2015	On or before Aug 1, 2016	Pre-Aug 1, 2016 levels
On or before Nov 2, 2015	After Aug 1, 2016	Pre-Aug1, 2016 levels
After Nov 2, 2015	After Aug 1, 2016 but on or before Jan 13, 2017	Aug 1, 2016 levels
After Nov 2, 2015	After Jan 13, 2017	Jan 13, 2017 levels

INDUSTRY NEWS

More Vehicles At Least 12 Years Old

By Jim Lang, Aftermarket iReport (3/14/2017)

"Vehicles at least 12 years old constitute one of the fastest growing segments of the light vehicle population. Climbing more than 53% in number over the past ten years (2006 to 2016), vehicles at least 12 years old average more aftermarket product use per-mile traveled than younger cars and light trucks."

"While domestic nameplates represent the majority of cars and light trucks at least 12 years old, foreign nameplates are increasing their share. Over the past ten years, foreign nameplate share of these older vehicles has climbed significantly."

Soaring Older Vehicles in Operation (VIO)

The population of cars and light trucks at least 12 years old is soaring.

Over the past ten years (2006 to 2016), the light vehicle population in the U.S. increased at a modest 0.8% average annual pace. In contrast, the number of cars and light trucks at least 12 years old climbed at more than five times this annual rate.

Over 136 Million Vehicles in 2016

Lang Marketing estimates there were over 136 million vehicles at least 12 years old on U.S. roads at mid-year 2016, up more than 47 million from 2006.

Strong New Vehicle Sales Base

Vehicles 12 years and older in the U.S. represent cars and light trucks sold prior to 2005.

Annual new vehicle sales in the U.S. between 1995 and 2004 were strong, not suffering from the dramatic impact of the 2008 Great Recession, which reduced new car and light truck volume in the U.S. by more than 35% over just two years (2009 and 2010).

Two Primary Growth Factors

The older vehicle population is being bolstered by the modest car and light trucks rates of scrappage in the U.S. over the past five years.

In addition, the extended life expectancy of vehicles resulting from changes in materials used in new vehicles and technological advances have combined to increase the number of light vehicles over 12 years old on U.S. roads.

Foreign Nameplate New Vehicle Sales Share

At the turn of the new millennium, foreign nameplate cars and light trucks (imports and transplants) accounted for less than half the share of new vehicle sales that they recorded in 2016: 26% versus 55%.

Rising Foreign Nameplate Share of Older Vehicles

Foreign nameplates accounted for less than 24% of cars and light trucks 12 years and older at the beginning of 2006, increasing to 33% share by 2011.

Lang Marketing estimates that foreign nameplate cars and light trucks accounted for over 39% of vehicles in operation that were at least 12 years old at the beginning of 2016.

Foreign Nameplate Surge Among Older Vehicles

With foreign nameplate cars and light trucks averaging nearly 55% of new vehicle sales over the past seven years (2009 through 2016), growth of foreign nameplate product volume will be boosted by their rapid increase in share of cars and light trucks at least 12 years old, which will occur over the next five to ten years.

Increasing Growth Rate

Foreign nameplate growth in this older group of vehicles will develop at a much faster rate over the next five years than foreign nameplate growth among newer cars and light trucks, under 12 years old, which have already felt the impact of strong foreign nameplate new vehicle sales (particularly since 2009).



AAPEX Announces 2017 Dates

AAPEX 2017 will take place Tuesday, Oct. 31 through Thursday, Nov. 2, at the Sands Expo in Las Vegas.

Online registration will be available in May 2017. Buyers who would like to be notified when registration opens can sign up on the AAPEX website, aapexshow.com/reging.

For hotel reservations, buyers and exhibitors are encouraged to use OnPeak, the event's official hotel partner, for the lowest rates at conveniently located hotels in Las Vegas. Reservations can be made now on the AAPEX website, aapexshow.com/rooms.

AAPEX 2017 is expected to feature more than 2,200 exhibitors and 45,000 targeted buyers. Approximately 160,000 automotive aftermarket professionals from more than 140 countries are projected to be in Las Vegas during AAPEX.

AAPEX represents the \$356 billion global automotive aftermarket industry, and is co-owned by the Auto Care Association and the Automotive Aftermarket Suppliers Association (AASA), the light vehicle aftermarket division of the Motor & Equipment Manufacturers Association (MEMA). For more information, visit www.aapexshow.com or e-mail: info@aapexshow.com.



2017 / 2018 Leadership 2.0 Scholarship Available

AAACT is excited to provide members with an exclusive offer for the opportunity of a \$6,250 Leadership 2.0 full scholarship being provided by the University of the Aftermarket Foundation at Northwood University again this year to members of the Alliance of State Automotive Aftermarket Associations (ASAAA). It is through AAACT's affiliation with ASAAA and the University of the Aftermarket at Northwood University that members of the Automotive Aftermarket Association of the Carolinas and Tennessee are eligible to apply for this scholarship. Another great benefit to pass on to your employees!

Leadership 2.0 is conducted in 2 one-week sessions at Northwood University: Fall 2017: August 6-11, 2017 in Midland, Michigan and Spring 2018: March 11-16, 2018 in Raleigh, NC. Candidates for the scholarship must be available to attend BOTH sessions and they are responsible for their own travel costs to and from both sessions.

The \$6,250 Leadership 2.0 scholarship covers tuition, materials and meals for the 2017 –2018 2-week Leadership 2.0 Program. The only out of pocket costs is airfare and lodging.

A simple one-page ASAAA Scholarship Application for this Leadership 2.0 scholarship is available from AAACT. Submit application and all supporting documentation to AAACT, your regional association, via email or fax for receipt no later than May 31, 2017 application deadline to:

AAACT, Inc.

P.O. Box 97993

Raleigh, NC 27624

Email: apac219@aol.com

Fax: 800-849-8037 Phone: 800-849-8037

AAACT must submit applications to ASAAA's deadline on May 31st. For more information, contact AAACT's office at 800-849-8037 or 919-821-1314.

For additional information about the Leadership 2.0 program, please visit www.universityoftheaftermarket.com and click on Leadership 2.0.

MANAGEMENT NOTES

A HOW-TO GUIDE FOR HAVING 'THE TALK' WITH YOUR ELDERLY PARENTS ABOUT INTERNET SAFETY

NOVEMBER 25, 2015

ARTICLE FROM LEGALSHIELD AN AAACT PARTNER

The face of the Internet is decidedly more wrinkled than many would assume.

The **Pew Research Center** determined 59 percent of seniors use the Internet. Shockingly, a new **report by Lime-light** determined on average, Baby Boomers – who are now in their 50s and 60s – spend more time online than their 18-33 year old counterparts in the Millennial generation.

"As we age, we naturally want to stay connected to friends and loved ones more and the Internet provides the easy means to do that, especially when those friends and family are geographically dispersed," said Jason Thibeault, Lime-light's senior director of marketing strategy and author of the report.

Seniors at Higher Risk of Fraud

In most ways, this trend is very positive for society. The Internet allows the elderly, particularly those who are homebound, to maintain connections with their friends and family, to keep up with the news, and to purchase products and services that they may not otherwise be able to access.

In fact, the Gerontological Society of America recently conducted a **longitudinal study** that “found a positive contribution of Internet use to mental well-being of retired older adults in the United States, where Internet use reduced the probability of a depression state by one third.”

However, in the same way that the **elderly are at a higher risk of offline fraud**, they can also easily fall victim to online scams. Tragically, a **study** by San Francisco-based TrueLink Financial revealed “seniors are losing \$36.48 billion every year to senior fraud, exploitation and financial abuse—more than 12 times the most widely reported previous estimate.” Additionally, the report determined 36.9 percent of seniors lose money to scams, exploitation, and abuse in any given five-year period. Of these, 6.9 percent lose \$10,000 or more.

“Two trends are going to define the future of fraud: the advancing age of the average American and the increasing use of the Internet among seniors,” says Jeff Bell, CEO of LegalShield. “We are committed to partnering with families to protect one of our nation’s most precious resources: our elders.”

How Scams Work

To avoid a scam, it is helpful to understand how one is put together. Our partners at **Kroll**, the global risk mitigation leader that powers IDShield, offer this outline of the basic components of a scam:

1. **Contact information is collected.** The scammer has obtained some of your personal identifying information (PII) which might include, name, email address, phone number, address, and/or other information they will use to reach you. If contact information is not first obtained by the scammer, then they will lay out a bait of some sort-- a fake employment ad, for example, that might cause you to contact the scammer first and provide personal identifiers.
2. **A compelling story is presented.** This is where the scammer gives the reason they need PII and/or money from you and it can come in the form of a letter, email, text message, or phone call.
3. The **fake reason** may be one of the following:
 - You won the lottery held in another state or country (even though you never entered that lottery)
 - You are offered a well-paying, work-from-home job
 - Your credit card or bank account is in danger of being closed or your access to it restricted
 - A relative is in danger and needs money
 - A person in a foreign country needs your help getting a great fortune transferred to the United States
4. **The victim is fooled.** The target of the scam is asked for personal information and/or money. This is where the trouble starts—you give them your personal identifiers, access to your credit card or bank account or accept a bad check presented to you by the scammer.
5. **The scammer is rewarded.** Now the scammer gets to work using information provided by the scam victim to steal money, open new credit accounts, or trick the victim into giving money to the perpetrator of the fraud.

For many adults, avoiding scams like these can seem like a matter of “common sense.” However, for the elderly – particularly those who live in relative isolation and/or who suffer from even a mild form of dementia or memory loss – these scams can appear very legitimate. They need their trusted advisors, particularly their adult-aged children, to educate them about self-protection.

Tips to Protect Your Elderly Parents Online

In many ways, seniors simply need to practice the same principles any of us need to adopt when surfing the Web, chatting online, or making purchases through the Internet.

One easy way to educate your elderly parents about “best practices” of navigating the Internet is to give them a printed copy of articles explaining how to stay safe online (such as this one, as well as our recent articles about **Craigslist** and **avoiding tax fraud**). Having a printed copy they can keep next to their computer gives them a

