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# NYS ASSOCIATION OF SERVICE STATIONS & REPAIR SHOPS, INC.

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### **Tougher Penalties For Underage Sales Of Tobacco And Vaping Products To Go In Effect**

Part of the state budget is a new penalty structure effective July 1, 2020. Now an underage sale will cost you \$300-\$1500 dollars for the first offense, and \$1000-\$2500 for each additional offense. There is \$250 surcharge added to each fine, to pay for the additional stings (2 per year), that your business will receive each year. Upon accruing 3 points (see following article) your business will have its tobacco and lottery license suspended for 1 year. This is an increase of 6 months over the old penalty structure.

### **When Is The Best Time To Have Your Clerks Certified To Sell Tobacco?**

NOW. Let me repeat myself. NOW. Now, before your clerk fails a sting. If your certified clerk fails a sting you receive one point against your license. If another certified clerk (because you fired the first one) fails a sting, you will have a second point against your license. It is not until the third certified clerk fails a sting that your lottery and tobacco license will be pulled. Even in this case there is a benefit, after serving your suspension, the three points will be removed.

If an uncertified clerk fails a sting, you will receive two points against your license. Let's say you train your clerks then. The next failed sting will add another point, making three points. Your license will be pulled for a year, and there is nothing you can do about it. It still makes sense to have your clerks certified after the first failed sting for two reasons. A certified clerk is less likely to fail that second sting. If they do, the three points will be removed from your license after you serve your suspension. If you don't have your clerk certified, only three of your four points will be removed and you will be well on your way to another suspension or revocation.

Need another reason? How about money. Who do you think is going to get a fine on the lower end of the scales listed in the article above? Who is going to get the higher fine? One who has certified the clerk or one who has not?

Need another reason? How about money. How many customers are you going to lose when they can't buy their cigarettes at your store?

Consider this, a certified clerk is much less likely to sell to underage customers, meaning you are less likely to have to deal with the hassle of a failed sting. It just makes good business sense to certify your clerks. Remember training them is not the same as certifying them.

**ONE MORE THING TO DO TODAY. CHECK YOUR CLERKS CERTIFICATION. IT EXPIRES AFTER THREE**

**YEARS. IF YOUR EMPLOYEE'S CERTIFICATION IS EXPIRED, IT IS THE SAME AS IF IT NEVER EXISTED.**

For more information on certifying your clerks call the association at 518-452-4367.

## **ATTORNEY'S CORNER**

*By Larry Culley*

As the economy and businesses are beginning to re-open all the old issues in operating your business are coming into play again. For example, the Department of Motor Vehicles Automotive Facility Inspectors are back and making the rounds once more. Inspectors from local departments of weights and measures and of consumer affairs are circulating again and Labor Department inspectors are becoming as busy as bees. Are all your licenses up to date? Are all your required posters on the wall? Have all your convenience store clerks working the cash registers been warned and reminded again and again of the age limits mandatory for anyone wishing to purchase alcohol and tobacco products? Have you neglected lately to file the I-9 immigration forms for all new employees? Are all your insurance policies still in effect? If you perform inspections are you doing them right? If not, you shouldn't do them at all. Are you giving written inspection appointments on your letterhead? Undercover agents will be checking on this. It's true that a lot of your customers disappeared during the past few months but they are beginning to return. So are the government inspectors. A word to the wise should be sufficient.

**REMINDER:** During this wretched Covid-19 pandemic YOU have the right to post whatever safety regulations you think are needed to protect your staff and customers. If you post signs calling for masks and social distancing don't let anyone tell you that you can't do that. If some people insist on coming in to transact business without a mask and without social distancing tell them clearly that they cannot come in without following your posted safety requirements. This is YOUR RIGHT UNDER THE LAW

*The contents of this column are not intended as legal advice. I give no legal advice without an appointment and interview with a client.*

## **Oil Prices Bounce Back**

Oil prices bounced back Friday after the prior week's retreat as West Texas Intermediate (WTI) crude prices climbed to the \$40 a barrel level. Crude and refined product prices trended up Friday. The prior week's retreat was prompted in part by the official declaration by the National Bureau of Economic Research (NBER) that the U.S. fell into economic recession in February, a sobering assessment by the Fed of the "long road" to economic recovery, and an alarming uptick in new COVID-19 cases. Yet the economic re-opening is continuing, and consumers are pumping money into the economy. Retail sales jumped 17.7%, fuel

demand rose, and last week brought a surprising drawdown from oil inventories.

Fed Chair Jerome Powell stated that the Fed was expanding the ways it could increase market liquidity. Markets surged, indicating that most investors feel comfortable with the Fed expanding its ability to intervene. Investors also remain optimistic about the prospects for another stimulus plan that would spend \$1 trillion on infrastructure, chiefly roads, bridges, and the 5G network. China has promised to pick up the pace on its promise to purchase more U.S. agricultural products. Trading Friday was expected to be unpredictable, because of a quarterly event known as "quadruple witching." But markets opened higher, and market bulls outweighed market bears.

U.S. Department of Labor weekly data show 1.508 million initial jobless claims for the week ended June 13, a decrease of 58,000 from the prior week. This news came as a disappointment, shaking faith in a speedy recovery. The prior week's figure was revised upward from 1.542 million to 1.566 million for the week ended June 6. There have been over 48.1 million unemployment claims so far this year, more than 45.7 million of them in the 13 weeks since COVID-19 shelter-in-place orders were launched.

Global cases of COVID-19 have surpassed 8.5 million, with more than 450,000 deaths, according to the Johns Hopkins Coronavirus Resource Center. Confirmed cases in the U.S. have topped 2.1 million and death attributed to the disease have exceeded 118,000. Twenty-two states reported an increase in new COVID-19 cases. On the upbeat side, a clinical trial showed that dexamethasone (a common, inexpensive steroid) cut death rates by a third among the most severely ill patients.

## **Gasoline Prices**

Gasoline futures prices surged to open at \$1.2654 per gallon Friday on the NYMEX, compared with \$1.1142/gallon on June 12. This was a major gain of 15.12 cents (13.6%). March brought a crippling collapse of nearly 87 cents per gallon, but prices gradually crept back up in April and May. U.S. average retail prices for gasoline rose significantly by 6.2 cents/gallon during the week ended June 15, after just last week reclaiming the territory above \$2 per gallon. Retail prices averaged \$2.098/gallon at the national level. Gasoline futures prices rose Friday, trading in the range of \$1.26/gallon to \$1.29/gallon.

## **Diesel Prices**

Diesel opened on the NYMEX Friday at \$1.201/gallon, a strong increase of 11.61 cents, or 10.7%, from the June 12 open of \$1.0849/gallon. U.S. average retail prices for diesel rose by 0.7 cents per gallon during the week that ended June 15 to average \$2.403/gallon. Diesel prices have weakened more or less steadily this year, but crude and refined product prices appear to be in recovery. Diesel futures prices rose Friday, and the week finished in the black.

## **WTI Crude Prices**

WTI crude forward prices opened on the NYMEX Friday at \$38.85 a barrel, compared with \$36.26 a barrel Friday, June 12, when markets saw a price retreat, motivated partly by an uptick in coronavirus cases and cautions from

the Fed warning of a “long road” to economic recovery. COVID-19 continues to spread, but there is hope for a treatment. The Fed also broadened its ability to intervene in the market. WTI prices traded Friday in the \$39.00–\$40.50 a barrel range.

Last week brought a surprising drawdown from oil inventories. The International Energy Agency (IEA) estimates that global oil demand will fall by 8.1 million barrels per day this year, but that demand will jump back by 5.7 mmbpd in 2021.

Oil prices were largely unfazed midweek when the American Petroleum Institute (API) released information showing an addition of 3.9 mmbbls to crude oil stockpiles. The API also reported additions of 4.3 mmbbls to gasoline inventories and 0.919 mmbbls to diesel inventories. The API’s net inventory build was a significant 9.119 mmbbls. Market analysts had predicted builds of crude and diesel stocks but a drawdown from gasoline stockpiles.

Prices rose last Wednesday when U.S. Energy Information Administration (EIA) official statistics reported a much more bullish picture. The EIA reported a much smaller addition to crude oil stockpiles of 1.215 mmbbls, more than outweighed by stock drawdowns of 1.666 mmbbls of gasoline and 1.358 mmbbls of diesel. The EIA net result was an inventory draw amounting to 1.809 mmbbls. Crude oil inventories have expanded in 18 of the 23 weeks since the first week of January, sending a total of 112.32 mmbbls of crude oil into storage. The volume of crude flowing into stockpiles has slowed over the past month, however, as production is being cut and demand is picking up.

During the worst of the oversupply, the EIA reported that crude oil in storage at Cushing rose from 35,501 barrels during the week ended January 3, 2020, to 65,446 barrels during the week that ended May 1, 2020, an increase of 29,124 barrels. Cushing stocks steadily have been drained since then, falling to 46,836 mmbbls during the week ended June 12. Some surplus crude is being stored in the National Strategic Petroleum Reserve (SPR.) The EIA reports that SPR additions were made in the weeks that ended April 24 (1.150 mmbbls), May 1 (1.716 mmbbls), May 8 (1.933 mmbbls), May 15 (1.882 mmbbls), May 22 (2.111 mmbbls), May 29 (4.02 mmbbls), June 5 (2.22 mmbbls), and June 12 (1.731 mmbbls), Current SPR stocks are 651.730 mmbbls.

U.S. crude production continues to decline. The EIA reported that U.S. crude production during the week ended June 12 declined to 10.5 mmbpd, down 0.6 mmbpd from 11.1 mmbpd the prior week. According to the EIA’s weekly data series, U.S. crude production averaged 13.025 mmbpd in February, the highest total ever. Production fell to 12.25 mmbpd in April, 11.52 mmbpd in May, and 10.8 mmbpd during the first two weeks of June. The EIA has revised downward its forecast of 2020 production, cutting it to 11.56 mmbpd. However, the forecast of demand has been cut as well, leaving a supply overhang.

### **Hydrogen to Near Price Parity With Gasoline by 2025**

Hydrogen for fuel-cell vehicles will probably come closer to the price of gasoline within five years, according to

a new report by the California Energy Commission, as reported in Green Car Reports.

The commission’s report drafts a plan for building renewable hydrogen production plants in California, forecasting future demand and costs will make the development a good bet. “The key findings are that the dispensed price of hydrogen is likely to meet an interim target based on fuel economy-adjusted price parity with gasoline of \$6 to \$8.50 per kilogram by 2025,” according to the report.

The report’s figure leaves out any impact from the California Low Carbon Fuel Standards credits, which would further reduce the consumer cost of hydrogen. The commission calculated the cost based on vehicle efficiency, not energy density or the cost of fuel-cell powertrain components.

Stakeholders believe that hydrogen should reach price parity with gasoline to push fuel-cell vehicles into a self-sustaining business minus subsidies. Price equality with internal combustion vehicles has long been the end goal for battery-electric vehicles, but usually, the terms revolve around battery price, not efficiency.

Fuel-cell vehicles consume more energy than battery-electric and hybrid cars. Volkswagen also revealed why fuel-cell passenger cars don’t make sense, in the automaker’s view, because of the inefficient method of generating hydrogen, among other reasons.

The commission also noted that commercial buses, ships, trains and trucks could use hydrogen as a fuel source. Toyota recently debuted a new joint-venture program to create a “hydrogen-based society” in China. Hyundai also has said it wants to bring fuel cells to other applications beyond vehicles.

### **Highway Bill Passes Committee Along Party-Line Vote**

After two days of a marathon markup, the House Transportation and Infrastructure Committee last Thursday passed along a 35-25 party-line vote the Investing in a New Vision for the Environment and Surface Transportation (INVEST) in America Act. NACS, NATSO and SIGMA joined together to urge committee members to oppose the legislation because it discourages private investment in electric vehicle (EV) charging and would stifle the market’s transition to EVs.

As reported by NACS Daily, the bill would authorize \$494 billion over five years for surface transportation, including \$411 billion to be invested in the Highway Trust Fund. The bill, H.R. 2, also includes several climate mitigation policy initiatives, such as requiring the U.S. Department of Transportation to establish a new greenhouse gas emissions performance measure and the creation of a program to support carbon pollution reductions.

Prior to the hearing, NACS, along with NATSO and SIGMA, sent a joint industry letter to members of the House Transportation and Infrastructure Committee opposing H.R. 2. The groups shared concern over two provisions critical to the fuel retailing industry. Both issues will hamper private

sector investment in electric vehicle charging infrastructure and discourage the convenience and fuel retailing community from offering electric vehicle charging to EV drivers.

The INVEST Act will be incorporated into the broader infrastructure bill, the Moving Forward Act. Other House committees of jurisdiction, such as the House Ways and Means Committee and the House Energy and Commerce Committee, will be working on their sections of the infrastructure package later this week. It is expected that the bill will be on the floor of the House next week before the Independence Day holiday weekend.

### **EV Report Examines Market and Charging Needs**

U.S. consumers are purchasing more electric vehicles (EV) every year, and there is an increasing need for charging infrastructure. However, not all markets are growing at the same rate, and the deployment of charging stations to support EV drivers will be unique to each market. A new report released today by the Fuels Institute, "Electric Vehicle Adoption: Focus on Charging," presents an objective analysis of the factors contributing to EV market expansion and focuses on determining the optimum deployment of charging infrastructure based upon market conditions.

Roughly one-third of U.S. drivers indicate they may buy an EV as their next purchase, and dozens of new models with at least a 200-mile charging range are expected to come on the market in the next couple of years. However, there remain barriers to EV adoption, including vehicle purchase price, insufficient consumer awareness and lack of adequate charging infrastructure. This new report carefully evaluates each of these elements and provides tools for stakeholders to better understand the dynamics of this growing market.

"There are a ton of electric vehicle reports out there," said John Eichberger, director of the Fuels Institute. "This report was commissioned to take a deeper dive into the main barriers to EV adoption to help readers better anticipate 1.) the potential expansion of EVs within their markets and 2.) the associated required charging infrastructure to support these drivers. In particular, the Fuels Institute wanted to better understand where and how consumers may charge in the future and how infrastructure needs could vary between different markets."

The report finds that the transition to mass adoption of EVs will likely require a mix of EV charging solutions with a particular focus on utilization and convenience. Where people live, work and how they travel will be critical to influencing the pace of EV adoption and the development of charging infrastructure that will satisfy the needs of a given market. The report looks at the total cost of ownership of an EV and identifies those factors that are market dependent; it evaluates the role of utilities and how they are engaging in infrastructure deployment; and it looks specifically at key metropolitan markets to understand the market conditions that could lead to robust EV market expansion in the future.

### **Consumer Sentiment in Auto Industry Improves in May, But Still Less than Optimistic**

*Written by Jason Unrau, CBT Automotive Network*

The second half of the month of May demonstrated the auto industry is moving toward a smooth recovery, according to the Auto Market Weekly Summary from Cox Automotive.

The number of customers who believe it's a good time to buy a car has bounced back to nearly pre-COVID levels, and the number of people shopping for a car or planning to purchase is nearly back on track.

Auto retail recovery is once again proving it's one of the foundations of the U.S economy.

Although consumer spending was down more than 13% in April, vehicle sales are not following the same downward trend. New vehicle sales have quickly accelerated toward parity with the previous year and are estimated to be down just 28% from the same time frame last year. Comparatively, April was down 47% year over year.

Used vehicle sales are the dark horse in the industry. Catching many off-guard, used car sales are actually up 6% from May 2019. That's despite the aggressive new car incentives that averaged nearly \$4,300 per new car. It could lead one to infer consumers are still hesitant to make large purchases and are opting to take a cost-effective approach.

Although used cars are selling like hotcakes, even as the pandemic restricts dealership activity, dealers could soon face a challenge in supply.

Wholesale auctions are running in limited capacities and there's a backlog of vehicles to go through the block. With used cars selling better than expected, inventory levels at dealerships could soon dwindle. That is, unless they can procure enough inventory from a combination of trade-ins and at the auction.

That said, the *Manheim Used Vehicle Index* was at its lowest level in three years in April, declining 11.4%. For vehicles dealers purchased at the auction, they paid less. And with demand high, there's excellent opportunity for profitability in the used car market, especially now.

The resurgence in car sales could very well be due to the government funds being handed out to Americans. In addition to the \$1,200 stimulus checks sent out, many qualify for additional subsidies and unemployment benefits. It pushed personal income levels up more than 10%, while wages and salaries fell 8%.

### **Estimating Tips**

CCC: Door skin/Door outer panel Replacement Repair Time – When replacing a door skin, CCC/MOTORS GTE states "straightening of door frame" is NOT INCLUDED.

Additionally, any repairs required to the new door skin/outer panel after installation are NOT INCLUDED. DEG Inquiry 16087 states:

"• MOTOR does not assign fixed percentages to different steps within a repair procedure.

- The amount of damage and repair needed during the installation of the Outer Panel will vary due to technician skill level.
- Any repair time needed would be an on-the-spot evaluation mutually agreed upon by estimators.”

All Three Systems: Spray Out Card/Color Matching Considerations – Neither CCC or Mitchell have assigned labor values for color matching/spray out card operations which are considered NOT INCLUDED operations for both. Any labor or materials required to perform color match and/or spray out cards, including clear coat and spray equipment set up, would be NOT INCLUDED.

Audatex states on DEG Inquiry 16149, “We have reviewed your inquiry regarding spray test panel process. The spray test panel is not included in the 2 stage set up allowance. It is included in the refinish time and to be conducted at the time of vehicle refinishing. No change is warranted at this time.”

If the spray out card is done in a separate operation away from the vehicle being refinished, any additional or duplicated efforts prior to vehicle refinishing process would be NOT INCLUDED.

All Three Systems: Disconnecting Battery/Negative Terminal – Many OEM repair procedures may indicate to disconnect the battery/negative terminal prior to performing any type of work on the vehicle. DEG Inquiry 16158 response from MOTORS: “Per the Guide to Estimating, D&R of the battery is a not included item.”

Disconnecting the battery multiple times may be required to facilitate proper disassembly, welding, dent pulling, refinishing process or – as necessary per the OEM procedures – having to move the vehicle from department to department. If multiple battery disconnects are required, it will require an on-the-spot evaluation. If the labor footnotes in any estimating system indicate that the labor is INCLUDED, the labor included would be for one disconnect only.

Mitchell: Three Stage Operation - Let Down Panels – Mitchell CEG page 28 Refinish Procedures> Three Stage Refinish states the following operations are INCLUDED:

- Apply toner to let-down panel
- Apply clear to let-down panel
- Repeat application to surface being refinished

Please note: the process is considered included only when performing this step in the same booth cycle as the vehicle itself. If any part of the let-down panel process is done as a separate operation, away from the vehicle, or involves any duplicate operations this would require an on-the-spot evaluation.

Material costs are NEVER included in any color matching/let down panel operations.

Audatex: Non-Reusable Parts Abbreviation – A new abbreviation of NRPOEM for non-reusable parts per OEM will soon be supported as part of the vehicle data.

The State of Pennsylvania (PA) Department of Insurance (DOI) regulations require that all abbreviations that may be found on an estimate be explained to the vehicle

owner. To satisfy this requirement, the PDF that prints when PA state disclosure is selected has been updated with the addition of NRPOEM.

*You can view these tips and others on the DEG website by visiting: [www.degweb.org](http://www.degweb.org) The estimating databases are all intended to be used as a GUIDE ONLY - it is important to remember that the auto body professional performing the repair is in a position to thoroughly inspect, diagnose and identify the methodology and their unique cost of the vehicle damage repair.*

### **Senate Passes Paycheck Protection Flexibility Bill**

The U.S. Senate yesterday overwhelmingly passed the Paycheck Protection Program Flexibility Act, clearing its way for President Trump’s signature. The legislation, H.R. 7010, introduced in the House by Congressmen Chip Roy and Dean Phillips, passed the House last week by a vote of 417-1.

The legislation was a response to a number of complaints about the program from small business owners who have taken advantage of the program meant to keep people at work during the pandemic. The program has largely been viewed as successful but suffered from some changing requirements and varying guidance from the U.S. Small Business Administration (SBA), which administers the program, leading to some confusion and frustration.

H.R. 7010 makes a number of changes to the program which have been requested by small businesses. It extends the amount of time during which borrowers must use the funds from eight weeks to 24 weeks, giving them more time to get employees back on the job. It also amends a Small Business Administration (SBA) requirement that borrowers use at least 75% of the funds on payroll in order to be eligible for loan forgiveness. The new requirement lowers the bar to 60%.

The legislation extends the program from its current expiration of June 30 through year’s end, expands the repayment period for any unforgiven amounts to five years from two years and allows businesses whose loans have been forgiven to take advantage of the deferment of payroll tax payments provided in the CARES Act.

Senate Small Business Committee Chairman Marco Rubio had partnered with Maryland Senator Ben Cardin on a different version of similar legislation in the Senate, but after the House legislation passed with such a strong bipartisan vote they opted to attempt to move the House bill instead in order to get needed flexibility into the market as soon as possible. Businesses that were able to take advantage of the program at its inception are coming up on the end of the original eight-week period next week, adding to the urgency to pass the legislation.

President Trump has signed the legislation into law.

### **Nationwide Coin Shortage Impacts C-store Industry**

The COVID-19 pandemic is to blame for another nationwide supply shortage: coins.

"What's happened is that, with the partial closure of the economy, the flow of coins through the economy has gotten all — it's kind of stopped," Federal Reserve chairman Jerome Powell said.

Rep. John Rose (R-Tenn.) first pointed out the shortage during a virtual hearing with the House Financial Services Committee, noting that many banks in his district weren't given their normal amount of coins and were struggling to help customers and businesses get the coins they needed, reported WKRN.com.

According to Dave Miller, president of First Horizon Bank of East Tennessee, the average bank customer wouldn't notice a coin shortage, but gas stations and convenience stores were the kind of businesses that would.

"You're going to be ordering coins so that you can handle your customers, and we're going to have a hard time getting that coin this week, than we would have, say, pre-pandemic," Miller said.

The executive also noted:

- The coin shortage is largely due to the cash flow problem the coronavirus pandemic created when the economy was shut down and consumers started to buy more online.
- Although only 20 percent of all purchases were made with cash, 50 percent of purchases under \$10 were still made with cash.
- Banks for the moment were handling the disruption of coins well, but if the cash flow doesn't improve, or if more coins aren't made, then getting change could be a bigger problem in a couple of weeks.

## **The Place To Go In New York City**

*By Jim Calvin*

There is a movement afoot to relieve Big Apple bodegas of fines for minor code violations if they allow New Yorkers to relieve themselves in their restrooms.

"Pursuant to a 2018 law passed by the City Council, the Penalty Mitigation Program permits the city Department of Consumer Affairs and Worker Protection to forgive fines of \$75 to \$500 for first time item pricing, signage posting, or other non-critical deficiencies, in exchange for opening one's bathrooms to the public.

Under the voluntary Public Mitigation Program (let's call it Pee-M-Pee for short), retailers must commit to allowing use of the bathroom, whenever open for business (except 10pm to 6am); maintaining it "in a reasonable state of cleanliness and functionality;" and complying with "any other criteria" the agency deems necessary.

Your tiny bathroom may be through a narrow hallway or down tricky stairs, so you could be sending customers to an area not safe for them.

In addition to letting responsible consumers use the facilities, you'll be allowing junkies in there to shoot up and leave used needles behind. And you'll now be subject to the state law requiring public bathrooms to be equipped with a diaper changing station.

Bottom line: this is emblematic of how City Hall views Bodegas. Not as licensed, tax-collecting, family-run sources of food, groceries, and other supplies for their neighborhood, but as places for the city to collect fines and for people to pee.

## **Scammers Pose as C-Store Officials and Take Receipts**

State Police in West Virginia are warning convenience store operators to be alert for a scam in which people posing as corporate headquarters staff are collecting receipts and cash from unsuspecting store clerks.

The scam involves someone calling the store claiming to be a vice president or other chain official telling the store that a representative will stop by and collect receipts and money in a bank bag, according to a report by MetroNews. The caller provides the clerk with a confirmation number. Then the "official" appears at the store and recites the confirmation number to retrieve the bag with the cash, usually while the clerk is still on the phone with the scammer.

"It really wasn't a robbery. No force or [weapon] was used, it's really just an elaborate scam people are using in the area," Trooper First Class J.E. Garren of the Winfield Detachment of the West Virginia State Police told the news station.

The con artists have successfully struck at least three convenience stores in the state and in neighboring Ohio recently, but they failed to convince clerks at other c-stores in the area to give up their receipts, police said. The scammers appear to "know some ins and outs of a gas station that a normal person probably wouldn't know," Trooper Garren said. Police have collected surveillance video of a female suspect.

"We just want everybody to know who works in those businesses it's not a real thing, and if they get a call just hang up or tell them they need to speak to a manager or they're not authorized to do that," Trooper Garren told MetroNews.

## **Q & A – Section 609 MVAC Course Book**

Q. Why do I have to download a new course book.

A. If you downloaded a course book before 2019, it is obsolete. The new book discusses manners of handling the latest approved refrigerants. It will be obvious that you used the old course book since the final exam questions and answers have changed.

## **Q & A – Already Section 609 Certified**

Q. I (or my employee) is currently Section 609 Certified. Do we need to be recertified in order to purchase refrigerant.

A. No. Your previous certification has been grandfathered in. NOTE: any one doing repairs on a motor vehicle air conditioning must be section 609 certified.

## **Q & A – ATUPA Training Course**

Q: Do I need to download a new book for tobacco training.

A: The course was always intended to be studied online. However, if you downloaded the course, you will need to download the new course which has slide answering the questions below as well as summarizing the material in the lead articles.

**Q & A --Tobacco Flavors Spared**

Q: Are flavored tobacco products banned?

A: Governor Cuomo did not propose a ban on menthol cigarettes and flavored other tobacco products as part of the state budget. Individual legislators have proposed it as a stand-alone bill but it appears unlikely to be taken up this session.

**Q & A – Tobacco Coupon Ban**

Q: What does the ban on tobacco coupons include?

A: Effective July 1, 2020 price reduction instruments are banned. Included in this ban are “Any coupon, voucher, rebate, card, paper, note, form, statement, ticket, image, or other issue, whether in paper, digital, or any other form, used for commercial purposes, to receive an article, product, service, or accommodation without charge or at a discounted price.” According to NACS lawyers, cigarette buydowns and multipacks are not affected.

**Q & A – Tobacco Signage Restrictions**

Q: What are the restrictions on signs near schools?

A: As of July 1, 2020, outward facing tobacco signage is banned within 1500 (500 for New York City) feet of a school. This includes exterior walls, doors or windows.

**Selling Your Inspection License**

If you are thinking of retiring or selling your business and have a New York State DMV Inspection license, your license may be valuable depending on the county where your shop is located. If you have questions on the sale and/or transfer of an inspection license call the association office at 518-452-4367.

**Lawley Declares Dividend For 27<sup>th</sup> Year**

**35%**

For any questions or concerns contact

Bill Adams

badams@lawleyinsurance.com

716.849.8641

**LAWLEY -- A PROUD PARTNER OF  
YOUR ASSOCIATION**

**DMV Record Retrieval**

DMV record retrieval is available to association members and affiliates at a cost of \$12 per record. Additionally, you may order DMV certified paper abstracts of driver’s license, vehicle registration, and vehicle title records for an additional fee of \$2 per abstract. Please call 518-452-4367

**YOU NEED TRAINING  
WE HAVE TRAINING**

Just go to our training website

<http://www.nysassrs-training.com/>

There you will find links for training on  
Alcohol Training Awareness Program (ATAP)  
Tobacco Clerk Training Program (TCTP)  
Motor Vehicle Air Conditioning (MVAC)

As well as

Inspector Training Material

Class “C” Operator Training Manual  
and a

Sexual Harassment Handbook

*This training is brought to you by*

*The New York State Association*

*Of Service Stations and Repair Shops*

**Your Association Is A Member**

**SERVICE STATIONS  
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USED CAR DEALER  
ATTENTION**

Do you have problems

1. Getting into business - going out of business?
2. With government, Federal, State and Local?
3. Are you trying to settle a violation?
4. Need an attorney?
5. Have a small claims case?
6. Need a license, renew a license?
7. Learn and understand the laws that regulate your business?

We can help with almost any problem, legal environmental or regulatory.

Just call us 518-452-4367