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# GRANY

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**WE SENT THIS "ATTORNEY'S CORNER" TO YOU IN JANUARY. I'M PUTTING IT OUT THERE AGAIN FOR FEBRUARY BECAUSE YOU NEED TO GET IT AND DO IT FOR 2020!**

### ATTORNEY'S CORNER

by Larry Culley

**THE HOLIDAYS ARE OVER AND IT'S TIME TO BUCKLE DOWN AND FLY RIGHT IN 2020!**

**ARE YOU READY FOR 2020? HERE'S HOW!**

**ARE ALL YOUR PERMITS AND LICENSES (INCLUDING YOUR OWN AND YOUR EMPLOYEE'S DRIVER'S LICENSES) VALID?**

**ARE YOU PAYING YOUR EMPLOYEES UNDER THE NEW MINIMUM WAGE LAW AS FOLLOWS:**  
Workers in New York City, employed by large business (at least 11 employees) - \$15.00  
Workers in New York City employed by small business (10 employees or fewer) - \$13.50  
Workers in Long Island and Westchester Counties - \$12.00  
Workers in all other areas of the state - \$11.10?

**ARE YOU PERFORMING INSPECTIONS WITH A TWO-PIECE WINDOW TINT METER IN ACCORDANCE WITH THE NEW INSPECTION REGULATIONS REGARDING TINTED GLASS?**

**ARE YOU DISPLAYING SIGNS MANDATED BY D.M.V. AND OTHER GOVERNMENT AGENCIES INCLUDING THE POSTING OF LICENSED INSPECTORS AT INSPECTION STATIONS?**

**ARE YOU COMPLETING AND FILING THE IMMIGRATION FORMS FOR ALL NEW EMPLOYEES, "I-9"? ARE YOU COMPLETING AND FILING THE N.Y.S. "NEWLY HIRED EMPLOYEES" FORM?**

**ARE YOU CHECKING YOUR VAPOR RECOVERY EQUIPMENT & COMPLYING WITH THE NEEDED 5 YEAR TEST (THIS IS BEING PHASED OUT BUT IS STILL ENFORCEABLE AT THIS TIME)?**

**ARE YOU FILING YOUR YEAR END TAXES?**

**ARE YOU PREPARED TO MAINTAIN DAILY, ACCURATE, GASOLINE INVENTORY RECORDS AS REQUIRED BY LAW (DIP BOOKS ARE AVAILABLE FROM YOUR ASSOCIATION)?**

**ARE YOU MAINTAINING THE PROPER COLOR CODE ON YOUR GASOLINE FILL LINES?**

**ARE YOU DISPLAYING THE OIL SIGN: "WE ACCEPT WASTE OIL FOR RECYCLING"? ARE YOU HANDLING USED OIL FILTERS PROPERLY?**

**ARE YOU DISPLAYING THE SIGN: "WE MUST ACCEPT VEHICLE BATTERIES FOR RECYCLING"?**

**ARE YOU MAINTAINING THE FILE OF MATERIAL SAFETY DATA SHEETS (MSDS)?**

ARE YOU AND YOUR EMPLOYEES AWARE OF THE POSSIBLE HEALTH HAZARDS ASSOCIATED WITH THE VARIOUS CHEMICALS AND THE PRECAUTIONS THAT SHOULD BE TAKEN?

HAVE YOU FILED YOUR "COMMUNITY RIGHT TO KNOW" FORM ON STORED SUBSTANCES IN N.Y.C.? THE DEADLINE IS MARCH 1ST.

ARE YOU MAINTAINING A SAFE WORKING ENVIRONMENT? ARE ALL YOUR FIRE EXTINGUISHERS AND SUPPRESSION SYSTEMS PROPERLY CHARGED AND WORKING? **SAFETY IS FREE! USE IT GENEROUSLY.**

ARE YOU USING APPROVED REPAIR ORDER FORMS? ARE YOU PROVIDING ALL INFORMATION REQUIRED ON THE ORDER FORM BY D.M.V.?

ARE YOU A MEMBER OF YOUR ASSOCIATION SPONSORED WORKER'S COMPENSATION GROUP? THOSE WHO ARE RECEIVED DIVIDENDS FOR OVER 25 YEARS. ARE YOU ALSO PROVIDING DISABILITY INSURANCE FOR YOUR EMPLOYEES AS REQUIRED BY N.Y.S.?

ARE YOU PROVIDING QUALITY REPAIRS? ARE YOU USING QUALITY PARTS? DON'T CREATE FUTURE PROBLEMS WITH A FALSE ECONOMY?

ARE YOU AND YOUR TECHNICIANS MAKING TIME FOR EDUCATION (WORK SMARTER NOT HARDER)?

ARE YOU MAINTAINING A CLEAN, ATTRACTIVE LOCATION? LOOK AROUND, YOU MAY BE SURPRISED. ARE YOU MAINTAINING A SENSIBLE PROFIT MARGIN? YOU CANNOT SURVIVE WITHOUT IT. ARE YOU PREPARED TO SIT DOWN WITH YOUR ACCOUNTANT AND REVIEW YOUR OPERATIONS?

ARE YOU PERFORMING INSPECTIONS PROPERLY? DO IT RIGHT OR DON'T DO IT AT ALL! ARE YOU GIVING WRITTEN INSPECTION APPOINTMENTS? WRITTEN APPOINTMENTS MUST BE ON YOUR LETTERHEAD.

DO YOU CARD FOR CIGARETTES AND ALCOHOLIC BEVERAGES? DO YOU HAVE SOFTWARE AT YOUR P.O.S. PREVENTING SALES OF THESE PRODUCTS WITHOUT AN I.D. BEING SUBMITTED?

IF YOU HAVE DUAL ISLANDS WITH SELF SERVE - FULL SERVE, IS THE "HANDICAP" SIGN POSTED?

ARE YOUR CLERKS TRAINED AND CERTIFIED UNDER THE TOBACCO LAW AND ALCOHOL LAW?

DOES THE OWNER, MANAGER AND CLERKS HAVE AN "A", "B" OR "C" CERTIFICATION UNDER THE UNDERGROUND STORAGE TANK REGULATIONS?

ARE YOU READY? ONLY YOU KNOW THE ANSWER. IF YOU'RE UNSURE, CALL YOUR AREA REPRESENTATIVE.

## Lottery Stings

A private firm working for the Gaming Commission has begun carrying out simulated lottery stings using undercover minors at stores statewide.

If an underage sale occurs management is notified on the spot, but the establishment will not be penalized. If the sale is refused, management is not notified.

Lottery officials say this is not an enforcement initiative, but a non-punitive academic exercise to provide a benchmark for future efforts to prevent underage gambling.

The private contractor, True View of Hicksville, Long Island, will report to the gaming commission in late 2018. If you have any questions or information to provide contact the association office at 518-452-4367.

## Bill to Ban All Flavored Tobacco

In Albany, some state politicians are pushing hard to **ban all flavored tobacco products including menthol cigarettes**, and they're gaining momentum. We need your help to stop it.

The bill is S.6809 sponsored by Senator Hoylman (D-Manhattan) / A.8808 sponsored by Assemblywoman Bichotte (D-Brooklyn). It is being considered tomorrow (Wed 1/22) by the Assembly Health Committee, and has been referred to the Senate Health Committee.

For those of you in New York City, flavored OTP has been banned for some time under local law, but menthol cigarettes can still be sold legally. By working together, our industry convinced the City Council leadership to table a bill in 2019 that would have been menthol cigarettes. Now we need to block the state legislation.

For those of you outside the city, your retail members would stand to lose menthol cigarettes, flavored cigars, flavored smokeless tobacco, and all other flavored OTP if this bill were to pass. It would devastate sales and customer counts.

I invite you to ask your members to use NYACS' "VoterVoice" system to automatically email their Assembly and Senate members expressing their opposition to the tobacco flavor ban. It only takes 2 minutes, but it could make the difference between the bill passing or failing. Some retailers are having each of their employees send one.

All they need to do is go this link, enter their contact information, and hit send:

<https://www.votervoice.net/NYACS/campaigns/70426/respond>

Follow-up phone calls to their Assembly and/or Senate members would be helpful.

Thanks for engaging on this critical issue!

## Air Tower Bill – Please Call in Your Support

The attached memo is for a bill that generated much interest in the legislature last year. The attached memo outlines the association's support of the bill. Please call your legislators and ask them to support the bill as well. Also attached are listings of senate and assembly members

phone and email address. Assembly members by address can be found on <https://www.nyasembly.gov/mem/search/>. Senate member addresses by address can be found at <https://www.nysenate.gov/registration/nojs/form/start/find-my-senator>. Please call if you require any assistance

A.5819 / S.4495

#### MEMORANDUM IN SUPPORT

##### ASSEMBLYMAN ABBATE -SENATOR MARTINEZ

The New York State Association of Service Stations and Repairs Shops, Inc., its affiliates and members support the subject bill, which provides the State of New York with exclusive jurisdiction over the requirement that motor fuel dealers provide an air compressor to inflate tires for customers.

Agriculture and Markets Law § 192(b)6 and General Business Law § 396-x(2) both require any dealer selling motor fuel at retail to provide a functioning air compressor to inflate tires of customers. This bill provides that the State of New York would have exclusive jurisdiction over the operation or equipment required pursuant to these sections. This bill would restrict municipalities from promulgating local laws regulating tire inflation equipment. The bill specifically provides, however, that a municipality is not restricted from enforcing the provisions of the State laws mandating that motor fuel dealers provide tire inflation equipment.

A motor fuel dealer is required to provide an on premises, motor-driven air compressor to inflate automobile tires for customers during business hours. Air inflation machines have different specifications including power supply, types of pressure gauges built into the machines, hose length and coin and credit applications. The air machines are authorized under Article 16 of the Agriculture and Markets Law, which provides for coordination and administration of weights and measures by the Department of Agriculture and Markets (the "Department"). Motor fuel dealers should be governed by a uniform regulatory scheme with respect to air compressors. Municipalities should not be able to enact local laws which mandate different specifications or operations for tire inflation machines. For example, a municipality required that the tire inflation equipment be made available on a 24-hour basis rather than when the motor fuel retailer was open for business.

The Department should have exclusive regulatory authority over tire inflation machines, as it does with motor fuel pumps, to ensure uniformity and a level playing field across the retail motor fuel industry. This legislation makes it clear that the State preempts the regulatory field. With over 1,500 municipalities in New York, which could place different requirements on the operation or equipment, motor fuel dealers would have conflicting requirements if local laws were implemented. This bill places responsibility for tire inflation machine equipment and operation with the State of New York.

For the above reasons, the New York State Association of Service Stations and Repairs Shops, Inc., its affiliates and members strongly support this legislation and urge its enactment.

Respectfully submitted:

New York State Association of  
Service Station and Repair Shops, Inc.  
6 Walker Way  
Albany, NY 12205  
518 452 4367

#### Legislation To Monitor 2020

An Assembly bill, A4782 from 2018/19 legislative session increases penalties for inspection stations including a mandate for suspension of the inspection license. It was not co-sponsored last year in the Senate but you saw the an article in the Times Union in September highlighting the bill. The memo in support references the unauthorized inspection of a limo by an inspection station as the impetus for the bill. It is however much broader in application.

The bill was generated due to a multi-death accident where twenty people were killed and the modification to the passenger size of the vehicle and a poor inspection and failure to repair the inspection failure all were causes of the accident.

The bill places much of the future blame for this type of accident on New York State inspection stations.

A 2019 law, Section 2 of this bill makes it mandatory for the DMV Commissioner to suspend a license to operate an official inspection station for any of the listed causes in the statute including failure to conduct inspections in conformance with rules and regulations or improper issuance of certificates of inspection. Under current law the Commissioner has discretion as to whether to suspend a certificate of inspection, it is not mandatory except in the case of a third or subsequent violation of rules and regulations committed within an eighteen month period. This provision was added by an article vii budget bill S. 1509B as chapter 59 of the laws of 2019. Inspection station must also send a mandatory form to the State with information on the vehicle that has been modified to increase its passenger capacity by even one person.

If read correctly, Bill 4792 from 2019 provisions require a mandatory suspension for any violation of the rules and regulations is a significant because a potentially minor violation would result in a suspension. It is also inconsistent with the provision under current law requiring suspension after a third or subsequent violation.

We expect A4792 to return in the 2020/21 legislative session. We will need to monitor this bill's activities carefully.

If you have any questions, please call the association office.

#### What Are The Labor Laws For Workers Between The Age Of 14 And 18

When school is not in session, and during vacations (school must close for the entire calendar week): Minors under 18 may not work more than 8 hours a day, 6 days a week. Minors 14 and 15 may not work more than 40 hours a

week. 16 and 17 year-olds may not work more than 48 hours a week.

When you turn 16, you will need to go from your 14-15 year old working papers (blue) and get your 16-17 year old working papers (green). ... At the end of a job, the employer must give your working papers back to you. You can use them on your next job (if you are still the right age for the certificate).

**State Prohibited Occupations Under 18 Years Of Age**  
No one under the age of 18 may be employed in or assist in:

- any occupation at construction work, including wrecking, demolition, roofing, or excavating operations and the painting or exterior cleaning of a building structure from an elevated surface.
- any occupation involved in the operation of circular saws, bandsaws, and guillotine shears.
- any occupation in or about a slaughtering and meat-packing establishment, or rendering plant.
- any occupation involved in the operation of power-driven woodworking, metalforming, metal-punching, metal-shearing, bakery and paper products machines.
- any occupation involved in the operation of power-driven hoisting apparatus.
- any occupation involved in the manufacture of brick, tile, and kindred products.
- any occupation involving exposure to radioactive substances or ionizing radiation, or exposure to silica or other harmful dust.
- logging occupations and occupations in the operation of any sawmill, lath mill, shingle mill, or cooperage-stock mill.
- any occupation in or in connection with a mine or quarry.
- as a helper on a motor vehicle.
- the care or operation of a freight or passenger elevator, except that minors over 16 may operate automatic, push-button control elevators.
- work in manufacturing, packing, or storing of explosives, or in the use or delivery of explosives.
- operating or using any emery, tripoli, rouge, corundum, stone, silicon carbide, or any abrasive, or emery polishing or buffing wheel, where articles of the baser metals or iridium are manufactured. New York State Department of Labor 16
- adjusting belts to machinery or cleaning, oiling, or wiping machinery.
- packing paints, dry colors, or red or white leads.
- preparing any composition in which dangerous or poisonous acids are used.
- operating steam boilers subject to Section 204 of the Labor Law.
- in penal or correctional institutions, if such employment relates to the custody or care of prisoners or inmates.

(These prohibitions do not apply to minors younger than 18 who are apprentices individually registered in apprenticeship programs duly registered with the Commissioner of Labor or to student-learners enrolled in recognized cooperative vocational training programs, or to trainees in approved on-the-job training programs. They do not apply to minors 16 to 18 years old who have completed training as a student learner or trainee in an on-the-job

training program, or has completed a training program given by a public school or a non-profit institution, which includes safety instruction approved by the Commissioner of Labor. There are regulations governing the approval of these safety instructions.)

### **Virginia Governor Proposes Gas, Cigarette Tax Hikes**

Virginia Governor Ralph Northam (D) proposed raising the motor fuels tax 12cts - 4cts/year over three years - to a total 34cts/gal. The plan, presented as part of Northam's budget, also would tie the gas tax to inflation.

"In 2018, miles driven in Virginia increased, while we collected less from the gas tax. This trend is only going to escalate," Northam said in a recent speech to state lawmakers. The governor also proposed to double the state cigarette tax to 60cts/pack from the current 30cts/pack. "Raising this tax at this level will still put us at a lower state rate than every neighbor besides North Carolina and will allow us to take important steps to control the cost of health care," Northam said.

"Here in Virginia, we pride ourselves on being a low-tax state," Northam said. "But it makes no sense to cling to the bottom of the rankings for a product that costs us so much."

--Donna Harris, dharris@opisnet.com

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### **Massachusetts Health Board Approves New Restrictions on the Sale of Tobacco Products**

The Massachusetts Public Health Council approved new rules restricting the sale of nicotine vapor, and flavored vapor and tobacco products.

The move comes a month after the state legislature approved legislation to ban the sale of flavored tobacco and vapor products — including menthol cigarettes — across the state. Gov. Charles Baker signed it into law on Nov. 27.

The new law, An Act Modernizing Tobacco Control, includes a number of restrictions on the sale of tobacco products, including limiting the sale of flavored nicotine vaping products to licensed smoking bars where they may only be smoked on-site.

Baker's signature also gave the Massachusetts Department of Public Health (DPH) new authority to regulate the sale of nicotine vaping products, to ensure the public is informed about the potential dangers of vaping and to implement other provisions of the law in order to protect the public health.

With the Dec. 11 action by the state health panel, the new regulations effective immediately are:

- Retail stores licensed to sell tobacco products, such as convenience stores, gas stations, and other retail outlets, are restricted to the sale of non-flavored nicotine products with a nicotine content of 35 milligrams per milliliter or less.
- The sale of non-flavored nicotine vaping products (with a nicotine content more than 35 milligrams

per milliliter) is restricted to licensed, adult-only retail tobacco stores and smoking bars.

- The sale and consumption of all flavored nicotine vaping products may only occur within licensed smoking bars.
- Beginning June 1, 2020, the sale of flavored combustible cigarettes and other tobacco products, including menthol cigarettes and flavored chewing tobacco, will be restricted to licensed smoking bars where they may be sold only for on-site consumption.
- A 75-percent excise tax on the wholesale price of nicotine vaping products, in addition to the state's 6.75 percent sales tax, will also go into effect on June 1.

### **Needed Update of Massachusetts Right to Repair Law Headed to Ballot**

The Massachusetts Right to Repair Coalition announced that it has turned in 102,000 signatures to ensure an initiative petition to enact a much-needed update to the Commonwealth's Right to Repair law reaches the 2020 ballot.

The Coalition--a group of Massachusetts independent repair shops, auto parts stores, trade associations, consumers, and drivers--said that a lack of progress on an update to the law in the Legislature led them to pursue an initiative petition so that Massachusetts car owners will continue to have access to the repair and diagnostic mechanical information produced by the vehicle they own.

By 2020, advancements in vehicle technology and increasing restrictions by automakers will result in more than 90% of new cars being equipped to transmit real-time diagnostic and repair information wirelessly to vehicle manufacturers, threatening the rights that Massachusetts car consumers enjoy today to choose to get their cars fixed at trusted independent repair shops or do the work themselves.

"We need to update the Right to Repair law before wireless technologies remove the car owner's right to get their vehicle repaired at our local, independent shop because the automaker would rather steer them towards one of their more expensive dealers," said Alan Saks of Dorchester Tire Service. "This is a common-sense reform and we'd love to see the Legislature move forward and fix it so that we don't have to go to the ballot to protect consumers' rights to shop around for car repairs."

Massachusetts Right to Repair Coalition Director Tommy Hickey said, "Our independent shops are increasingly facing the prospect of having limited or no access to diagnostic and repair information now that automakers are restricting access through rapidly expanding wireless technologies in vehicles not covered under current law." The ballot initiative would give car owners access only to the diagnostic and repair data generated by their car, and they could opt to provide access to any dealer, repair shop, or automaker that they choose during the lifetime of their car.

The Coalition delivered its signatures to Secretary of State William Galvin's office. The initiative petition filed is entitled An Initiative Law to Enhance, Update and Protect the 2013 Motor Vehicle Right to Repair Law.

Further information may be found at [massrighttorepair.org](http://massrighttorepair.org).

### **State diverts tire tax money. Time to abolish it?**

by Jim Kenyon

*Wednesday, February 12th 2014*

Whether you call it a tax, a fee or a surcharge, New York State collects \$2.50 for the purchase of every tire sold in the state. It's the price you pay for the Waste Tire Management Fee which was imposed in 2003 to fund the clean up large tire dumps. But a CNY Central investigation has found that the majority of the fee now pays for salaries and state expenses that may have little to do with the disposal of used tires.

11 years ago, New York State had a huge problem with number of large tire dumps. The worst was at the Fortino property in Oswego County where more than 10 million used tires posed a toxic fire hazard and endangered health and the environment. Through the Waste Tire Management Fee, the state spent \$115 million to clean up the Fortino property and the large tire dumps so that mostly small tire dumps remain.

The tire tax was supposed to expire in 2010, but has been extended twice. According to the State Department of Environmental Conservation, the tire fee continues to raise up to \$26 million annually, but only a fraction of the money goes to the actual cleanup of tire dumps.

The DEC provided CNY Central with a rough breakdown of how the money is spent:

- \$6 million goes to the state's general fund where it can be used for any purpose
- \$14 million pays the salaries of employees in the DEC's Hazardous Waste Division
- \$6 million is for waste tire abatement projects

So once a tax, always a tax? CNY Central's Jim Kenyon asked Governor Andrew Cuomo during a recent visit to Solvay, if it was time to do away with the tire tax. Cuomo replied, "We will be reviewing that tax through this legislative session. Obviously there are differing opinions on the tax, but it's one of the taxes on the table to look at."

On January 29, State Senator John DeFrancisco who chairs the Senate Finance Committee asked DEC Commissioner Joseph Martens for an accounting of the money collected through the Waste Tire Management Fee. DeFrancisco wanted to know how many DEC positions are funded through the tax and whether the money is "really being used for waste tire cleanup or for other employees."

At the budget hearing, Martens could not immediately provide the information but replied: "The short answer is both...it is cleaning up the waste sites and it funds employees making sure those sites are cleaned up."

The day after Martens appeared before the Finance Committee, Senator DeFrancisco told Kenyon, "I get the

feeling we're going to get some ammunition to try to convince the Assembly as well as the Governor to get rid of that line item and get rid of that tax."

The Senate Finance Committee provided CNY Central with the DEC's response to Senator DeFrancisco's inquiry. The Waste Tire Management Fee has been renamed the "Waste Management and Cleanup Fund. That fund pays the salaries of 141.3 DEC employees at an annual cost of \$17.4 million.

The DEC further responded that over the life of the fund, the state has spent \$115 million on waste tire abatement. Over the past two years, 12 sites have been cleaned up with contracts remaining for one large site on Long Island along with 20 smaller dumps across the state. Currently the tire tax is due to expire at the end of 2016. DeFrancisco says he would like to abolish it sooner.

### **All-Electric Vehicles Have Lowest Annual Fuel Costs: EIA**

The estimated annual fuel costs for model year (MY) 2019 all-electric light-duty vehicles are the lowest of all of the different vehicle technologies, a report from the U.S. Energy Information Administration (EIA) said on Monday.

All-electric light-duty vehicles for MY 2019 have annual fuel costs ranging from a low of \$500/yr. to a high of \$900/yr., the lowest of five types of designated light-duty vehicles, which included plug-in hybrid electric vehicles, hybrid electric vehicles, gasoline vehicles and diesel vehicles.

The annual fuel costs for plug-in hybrid electric vehicles, which can fuel with gasoline and electricity, are the next lowest -- with an estimated range of \$600/yr. to \$1,950/yr. -- and are heavily influenced by the electric range of the vehicle, the report said.

Hybrid electric vehicles -- with a range of \$650/yr. to \$2,500/yr. -- are fueled only with gasoline, generally use their technology for maximizing fuel economy. However, because some models use their hybrid systems to boost performance rather than to increase fuel economy, not all hybrid vehicles have low fuel costs.

Gasoline vehicles have an estimated range of \$1,000/yr. to \$4,100/yr., the widest ranging of the categories. Diesel vehicles were given an estimated range of \$1,150/yr. to \$2,250/yr.

All vehicle fuel costs were rounded to the nearest \$50, and annual fuel cost estimates are based on combined city/highway fuel economy, 15,000 annual miles and the following fuel prices -- \$2.55/gal regular gasoline, \$3/gal premium gasoline, \$2.85/gal diesel and \$0.13 electricity per kilowatt hour, EIA said.

--Jordan Godwin, jgodwin@opisnet.com  
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### **Gasoline-Powered Vehicle Sales Likely Peaked in 2016, Think Tank Says**

Sales of conventional gasoline-powered vehicles in the U.S. likely peaked in 2016 at a level of \$17.3 million, according to a memo released late last week by Washington-based think-tank Third Way.

The report from Senior Resident Fellow Ellen Hughes-Cromwick said, "Sales of these vehicles likely will never be as high as they were three years ago."

According to the memo, surging sales of electric vehicles (EVs) has contributed to falling sales of conventional gas-powered vehicles. Hughes-Cromwick said that approximately 433,000 EVs have been sold since 2010 and sales have grown fourfold since 2015.

Third Way expects this number will rise in the future due to greater consumer choice, falling costs, charging convenience and growing concerns by the public over climate change.

With more offerings and expanding infrastructure, EV sales could grow at double-digit rates for an extended period during the 2020s," Hughes-Cromwick said.

Expanding sales will have to be met with greater access to charging infrastructure and policy incentives should be created to assist automakers in adapting to the technology, according to Third Way.

--Patrick Newkumet, Patrick.newkumet@ihsmarkit.com  
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### **IBM Announces Cheaper, Heavy Metal-Free Battery Design**

IBM on Wednesday said it has discovered a way to make batteries that outperform existing lithium-ion batteries while using material extracted from seawater in place of cobalt and other heavy metals.

In a blog post about the discovery, the American company said batteries using the technology can be charged quickly, are less likely to catch fire than lithium batteries and could be cheaper to produce.

The company said it has joined with Mercedes-Benz Research and Development North America, Central Glass, one of the top battery electrolyte suppliers in the world, and Sidus, a battery manufacturer, "to create a new next-generation battery development ecosystem."

"While plans for the larger development of this battery are still in the exploratory phase, our hope is that this budding ecosystem will help to bring these batteries into reality," the announcement said.

In the announcement, IBM said the new technology uses "three new and different proprietary materials, which have never before been recorded as being combined in a battery."

IBM noted that current battery technology relies on cobalt and heavy metals whose mining pose both environmental and humanitarian risks.

It said the materials used in the new process could be extracted from seawater. It said the design uses "a cobalt and nickel-free cathode material, as well as a safe liquid electrolyte with a high flash point."



The design allows for fast charging, with tests showing the battery in some configurations can reach an 80% charge in about five minutes. "Combined with the relatively low cost of sourcing the materials, the goal of a fast-charging, low-cost electric vehicle could become a reality," the announcement said.

The company also touted the design's higher power and energy densities and strong energy efficiency. The battery has a power density of more than 10,000 W/L (watts per liter) and an energy density of more than 800 Wh/L (watt hours per liter).

It said the battery can be configured for use in flying vehicles and electric aircraft, as well as for use in smart grid applications and "new energy infrastructures where longevity and stability is key."

--Steve Cronin, scronin@opisnet.com

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### **Ford to Make All-Electric, Hybrid F-150s, Autonomous Vehicles in Michigan**

Ford Motor Co. said it will invest more than \$1.45 billion and add 3,000 new jobs at two Michigan plants as part of its expansion into electric and autonomous vehicles and to make gasoline- and diesel-powered pickup trucks and sport utility vehicles.

Ford said it will add 300 jobs and spend about \$700 million at its Dearborn, Mich., truck plant for the production of the newly designed F-150 hybrid and fully electric F-150. Ford will also create a new operation in Dearborn where battery cells will be assembled into a battery pack for the F-150 hybrid and all-electric F-150, it said.

Ford said it will debut its newly designed F-150 and F-150 hybrid in 2020, and the company said its fully electric F-150 will be "coming soon after," without providing a specific time.

Ford's F-150s and its F-Series pickup trucks have been the best-selling vehicles in the U.S. for the past 42 years.

Last month, Ford unveiled its first all-electric vehicle, a Mustang SUV called Mach-E, which has a range of about 300 miles between charges.

The next couple of years should be an eventful time for electric pickup trucks. General Motors Co. said in November that its battery-powered Rivian R1T truck will arrive in fall 2021, and Tesla Inc. could begin to produce its fully electric Cybertruck in late 2021.

In addition, Ford said it will invest \$750 million and add 2,700 new direct jobs in the next three years at its manufacturing facility in Wayne, Mich., to build the new Ford Bronco and Ranger models, and a new modification center to support autonomous vehicles and other vehicles.

Ford said the autonomous vehicle, Bronco and Ranger modification center in Wayne will complete the company's first autonomous vehicles starting in 2021, including installing the vehicles' unique self-driving technology. The company also said it will modify Broncos and Rangers for customers at the same location.

The Bronco will be revealed in spring 2020, the company said, bringing back its famed model, which is now an all-new, off-road SUV, the company said.

--Frank Tang, ftang@opisnet.com

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### **Federal Active Legislation**

Among active legislation on a federal level, Congress is trying to determine the answers to several questions that effects small business. Fortunately, or unfortunately they are so tied up with the impeachment hearings there is very little legislation being considered on in Washington.

Some examples:

1. Should there be legislation to increase payroll tax for family leave? New York already has a Family Leave program which is paid for with disability insurance.
2. Should Congress amend the tax law to provide relief for estate taxes? The estate tax is a federal tax on the right to transfer property and assets at death. This tax is imposed on the transfer of a deceased persons property and assets to his or her beneficiary(s), meaning the beneficiary(s) are responsible to pay the estate tax.
3. Should employers be required to provide the personal contact information of employees to union organizers? There is a bill in both houses of Congress that would require employers to provide the personal contact information of all employees to the National Labor Relations Board before a union election.
4. Should employers be prohibited from asking prospective employees about wage or salary history? A bill in both houses would prohibit employers from asking prospective employees any questions regarding wage, salary, or benefit history.

These bills have been active during the last two years of the session but since 2016 Congress has been practice and they are subject to that deadline."

### **Cumberland Farms' Suit Against Rhode Island's Truck Toll Program Moves Closer to Federal Court**

The United States Court of Appeals for the First Circuit upheld a lawsuit challenging Rhode Island's truck-only toll program, ruling the suit can proceed in federal court.

The lawsuit was brought by Westborough-based Cumberland Farms, the American Trucking Associations (ATA), M&M Transport Services Inc. and New England Motor Freight in the summer of 2018. In the suit filed in Providence, R.I., the plaintiffs argue that Rhode Island's new toll system violates the commerce clause of the U.S. Constitution by discriminating against out-of-state trucking companies.

The toll plan launched in June 2018.

However, in March 2019, a federal judge dismissed the lawsuit, ruling that the court lacks jurisdiction and the case should be brought in the state court system, as Convenience Store News previously reported.

On Dec. 5, the First Circuit ruled today that despite the Rhode Island's assertion, the lawsuit was not barred by the federal Tax Injunction Act, which generally prohibits federal courts from hearing challenges to state taxes, according to ATA.

"We have long believed that Rhode Island's RhodeWorks truck-only toll scheme was a violation of the Constitution and an attempt to use our industry as a piggy bank," said ATA President and CEO Chris Spear. "Today's decision by the First Circuit paves the way for us to make that argument in federal court and we look forward to the chance to vindicate our case on the merits."

The court, which is located in Boston, held that the RhodeWorks tolls are not a "tax," and was not immune from challenge in federal court," the Arlington, Va.-based association said.

"Today's ruling is just another step in getting these extortionary tolls torn down and we would urge the governor and her allies to do the right thing and put an end to this unfair and unconstitutional toll scheme so we can get serious about working together on how to equitably and effectively rebuild our infrastructure," said Rhode Island Trucking Association President Chris Maxwell. "With this ruling in hand, we are confident we will prevail in this suit once it is decided on the merits."

Connecticut lawmakers have been considering a similar truck-only toll; however, the recent appeals court's ruling could out a stop to the proposal, the Hartford Courant reported.

#### **Vapor Tax**

Effective December 1, 2019, a new 20% supplemental sales tax will apply to retail sales of vapor products in New York. The tax is collected by a vapor products dealer. Beginning on December 1, 2019, any business that intends to sell vapor products must be registered as a vapor products dealer before making sales of vapor products.

#### **Bay Drains**

Several questions have been asked of the association office on bay drains. Attached is a reminder that bay drains guidelines come from EPA. However, if any government agency make you to change or update your bay drains call the association office

<https://www.epa.gov/uic/motor-vehicle-waste-disposal-wells>

#### **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

#### **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.

#### **Attention Inspection Stations**

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

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

#### **All Petroleum Bulk Storage Facilities**

YOU WERE REQUIRED TO DESIGNATE A CLASS A AND/OR B AUTHORIZED OPERATOR TO NYS DEC NO LATER THAN OCTOBER 11, 2016

THIS WAS MORE THAN TWO YEARS AGO

If you have not done this you are now subject to a \$500 penalty from NYS DEC. This may now be unavoidable

If you have not reported this information to NYS DEC as of yet do so immediately. Communicate this information to DEC at [operatortraining@dec.ny.gov](mailto:operatortraining@dec.ny.gov)

Or call the association office

#### **SERVICE STATIONS REPAIR SHOPS 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





# Attention Miscellaneous Industry Employees

Minimum Wage hourly rates effective 12/31/2019 – 12/30/2020

## New York City

Large Employers (11 or more employees)

**Minimum Wage \$15.00**

Overtime after 40 hours \$22.50

### Tipped workers

At least **\$11.35 or \$12.75**

Overtime after 40 hours \$18.85 or \$20.25

Small Employers (10 or less employees)

**Minimum Wage \$15.00**

Overtime after 40 hours \$22.50

### Tipped workers

At least **\$11.35 or \$12.75**

Overtime after 40 hours \$18.85 or \$20.25

## Long Island and Westchester County

**Minimum Wage \$13.00**

Overtime after 40 hours \$19.50

### Tipped workers

At least **\$9.80 or \$11.05**

Overtime after 40 hours \$16.30 or \$17.55

## Remainder of New York State

**Minimum Wage \$11.80**

Overtime after 40 hours \$17.70

### Tipped workers

At least **\$8.90 or \$10.05**

Overtime after 40 hours \$14.80 or \$15.95

If you have questions, need more information or want to file a complaint, please visit  
[www.labor.ny.gov/minimumwage](http://www.labor.ny.gov/minimumwage) or call: **1-888-469-7365**.

**Credits and Allowances** that may reduce your pay below the minimum wage rates shown above:

- **Tips** – Your employer may use a limited amount of your tips to reduce your wages. This is called a tip credit. Your employer may take a tip credit only if your tips plus wages add up to at least the minimum wage. They must still pay you at least the tipped wage rates shown above.
- **Meals and lodging** – Your employer may claim a limited amount of your wages for meals and lodging that they provide to you, as long as they do not charge you anything else. The rates and requirements are set forth in wage orders and summaries, which are available online.

**Extra Pay** you may be owed in addition to the minimum wage rates shown above:

- **Overtime** – You must be paid 1½ times your regular rate of pay (no less than amounts shown above) for weekly hours over 40 (or 44 for residential employees).  
*Exceptions:* Overtime is not required for salaried professionals, or for executives and administrative staff whose weekly salary is more than 75 times the minimum wage rate.
- **Call-in pay** – If you go to work as scheduled and your employer sends you home early, you may be entitled to extra hours of pay at the minimum wage rate for that day.
- **Spread of hours** – If your workday lasts longer than ten hours, you may be entitled to extra daily pay. The daily rate is equal to one hour of pay at the minimum wage rate.
- **Uniform maintenance** – If you clean your own uniform, you may be entitled to additional weekly pay. The weekly rates are available online.

# Waste tire management fee

## Update

The waste tire management and recycling fee has been extended through December 31, 2022.

The Environmental Conservation Law imposes a \$2.50 per tire waste tire and recycling fee on sales of most new tires sold at retail within New York State. The Tax Department is responsible for administering the collection of the fee.

## Who must collect the fee

If you are a tire retailer, including a car dealer or an auto repair shop, you must collect the \$2.50 per tire fee on most new tires sold. You must remit \$2.25 for each tire sold when you file the waste tire management fee return. You can keep 25 cents for each tire sold to cover your administrative costs.

## Sales subject to the fee

The fee applies to new tires you sell in New York State for use on nearly all self-propelled or towed vehicles that qualify to be registered under the Vehicle and Traffic Law including:

- cars
- trucks
- motor homes
- buses
- trailers
- motorcycles
- all-terrain vehicles
- limited-use vehicles
  - low-speed vehicles having a maximum performance speed of more than 20 but not more than 25 miles per hour; and
  - limited-use motorcycles having a maximum performance speed of 40 miles per hour

The fee also applies to new tires you sell in New York State with a new or used vehicle, including spare tires, whether they are full-size or for emergency use only.

The waste tire management fee does **not** apply to sales of recapped or used tires. It also does **not** apply to mail-order, phone-order, or internet sales.

## Exempt sales

The following sales of new tires are **not** subject to the waste tire management fee:

- Sales to New York State, its agencies, instrumentalities and political subdivisions;
- Sales to the United States, its agencies, and instrumentalities;

- Sales to limited dividend housing companies exempt under section 93(1) of the Private Housing Finance Law;
- Sales to nonprofit property and casualty insurance companies exempt under section 6707 of the Insurance Law;
- Sales of tires for resale; and
- Sales of tires for exempt vehicles including:
  - electric wheel chairs
  - go-carts
  - golf carts
  - go-peds (skateboards and scooters that have a motor and a handle for a standing rider)
  - mini-bikes
  - motor-assisted bicycles
  - vehicles that run only on rails or tracks.

## Who must pay the fee on tires sold for use on leased or rented vehicles

The lessor of a vehicle is responsible for paying the fee when he or she purchases a vehicle to lease or rent to customers.

The purchaser of the tires is responsible for paying the fee when he or she purchases new replacement tires for a leased or rented vehicle. Therefore, if a lessee purchases new replacement tires for a leased vehicle, he or she is responsible for paying the fee.

## When to file and pay

You must file a waste tire management fee return with the Tax Department and pay the required fees on a quarterly basis. Even if you make no sales of tires subject to the waste tire management fee during the quarter, you must still file a waste tire management fee return for the quarter. The return and payment are due within 30 days after the end of each quarter.

When you cease selling new tires, you must file a final waste tire management fee return and pay any fees due within 30 days of ceasing that operation, regardless of when the quarter ends.

## How to file and pay

Log in to your [Online Services](#) account to file your return and make payment online using the Waste Tire Web File. Once logged in, select *Other taxes*, from the *Services* menu on the left-hand side of the page, and then select *Waste Tire Web File* to start your return. If you file sales tax returns, you probably already have an [Online Services](#) account. If not, it is quick and easy to [create an](#) account.

If you cannot file and pay online, file Form [MT-170, Waste Tire Management Fee Return](#).

## Reporting periods and due dates

### **Due dates**

Quarterly period	Due date for filing return
December 1 through February 28 (29)	March 31
March 1 through May 31	June 30
June 1 through August 31	September 30
September 1 through November 30	December 31

### **For more information**

# Lawley & NYSASSRS

New York State Association of Service Stations & Repair Shops

Together we have returned  
**\$51,188,750** to policy holders since 1991

## NYS Worker's Compensation Program Highlights

- Up to a 25% upfront discount offered
- Over 30% Average Annual Dividend (27 Years)
- Save up to 60% off your current premium\*
- Last year's dividend was 35% (\$3,061,456)
- Dividend checks as high as \$65,433 have been issued to our policy holders
- Easy quoting process
- Program available to all members



*\*Based on 25%  
up-front discount +  
declared dividends*

**Bill Adams**

**716.849.8641 | [badams@lawleyinsurance.com](mailto:badams@lawleyinsurance.com)**

[lawleyinsurance.com](http://lawleyinsurance.com) | 361 Delaware Ave, Buffalo, New York

**Lawley**

*You owe it to yourself to make  
sure you are getting the best deal.*

FOR SALE  
REPAIR SHOP  
KINGSTON, NY

4000 square feet

(4) 10x10 overhead doors

(2) stand-up lifts

(1) post lift

Hunter Hawkeye Elite 4 wheel alignment machine

Tire machine and balancer

Engine lift and presses

Waste oil furnace and Radiant heat facility

Many Fleet Maintenance and Repair Contracts

Large Local Customer Base

*Current Business*

*Being Sold For Turnkey Operation*

FOR MORE INFO  
CALL DAVE  
845-401-8645



**NEW YORK STATE  
ASSOCIATION OF SERVICE STATIONS AND REPAIR SHOPS**

**Web Training for:  
*DMV INSPECTOR TRAINING*  
(Instructions on how to sign in and take the training)**

1. Enter our nysassrs.com website either by cell phone or computer.
2. Find the training tab on the top of the screen (if in full screen view). If smaller there is a menu tab on the left of the screen. Click that and you will find the training tab there. It will bring you to an intro page to our training.
3. Inside the blue column SITE MAP you will see Inspector Training Material.

**(Make sure you have an updated form of adobe flash player, if not you can access the abobe website from this page.)**

4. Click on whichever inspector training you would like to download. We have:
  - a) Light/medium duty, and
  - b) Heavy duty inspection training available.
  - c) Motorcycle,

**Note it may take a few minutes to download depending on your internet speed.**

5. When download is complete you may access our full audio presentation.
6. You may also choose to access the DMV's version of the training which we provide the link for if you like. There is no audio or PowerPoint but DMV's presentation may differ a little to give you variety in training.
7. Besides training, our presentation takes you step by step to register for the testing for inspector certification.
8. If you have any questions contact the association office at 518 452-4367.

## REGULATIONS ON USED CAR BONDS

### Surety Bond

To get a surety bond, you must contact a surety insurance company. Make sure that the business name and mailing address on the bond exactly match the business name and mailing address on your DMV facility license, Make sure that you write your Facility Number on the bond.

### Bond amount required from a dealer

The bond amount depends on the number of vehicles that the dealer sold in the previous calendar year, or if the dealer is licensed as a franchised new dealer. Refer to the chart below.

Number of vehicles sold in Previous calendar year	Bond amount
--	----------------

50 or fewer	\$20,000
-------------	----------

More than 50	\$100,000
--------------	-----------

Franchise dealers selling  
cars, SUVs, light trucks, etc.

Dealers selling only trailers

motorcycles. Vehicles over	\$50,000
----------------------------	----------

10,000 pounds, ATV's,boats  
and snowmobiles are exempt  
from the bond requirements.

**Need help getting a bond?**

**Call the association office.**



**Heartland**

# **NYSASSRS now offering “PAY AS YOU GO” billing**

We are pleased to announce our newest Member Benefit Partner, Heartland Payroll Solutions. Through this partnership, any safety group participant can take advantage of their integrated billing solution with the NYSASSRS Safety Group.

## **Benefits of Pay As You Go:**

- You pay premiums each pay period based on current payroll information.
- Improved cash flow management by sending accurate workers' comp premium to the carrier based on actual payroll
- Premium payments are automatically deducted by the NYS Insurance Fund
- Reduces the risk of year-end audit payments
- Better option than “direct bill policies” or “self-reported policies” that require periodic, larger premium payments

## **About Heartland:**

- NYSASSRS members get an exclusive discount on payroll processing with Heartland
- Pay As You Go billing is FREE
- Processes payroll for more than 36,000 customers
- Cloud-based, feature-rich solution
- Three-year price lock on processing fees
- Dedicated Single Point Of Contact

**For more information contact:**

**Chandler James**

**518-452-4367**

**[chandler@nysassrs.com](mailto:chandler@nysassrs.com)**

## FREE MONEY

BE A MEMBER OF OUR ASSOCIATION OR AFFILIATES

FILL OUT THIS FORM AND FAX BACK TO US

BUY \$7500 IN PARTS IN ONE QUARTER FROM YOUR **NAPA DEALER**

RECEIVE A REBATE CHECK FOR 2% OF YOUR PURCHASES (MINIMUM OF \$150 REBATE)

PUT THE MONEY IN YOUR POCKET

NOTE: YOU CAN NOT BE A MEMBER OF THIS AND ANOTHER NATIONAL NAPA PROGRAM

## FREE MONEY

Name of Your Business:		
Business Address Street:		
City:	State:	Zip:
Phone:	Fax:	E-Mail:
Name of NAPA Dealer:		
NAPA Street Address:		
City:	State:	Zip:
Phone:	Fax:	
Additional NAPA Dealer(s) you do business with:		
Name of NAPA Dealer:		
NAPA Street Address:		
City:	State:	Zip:
Phone:	Fax:	
Name of NAPA Dealer:		
NAPA Street Address:		
City:	State:	Zip:
Phone:	Fax:	

**FAX** this form back to:

518 452-1955

## ARE YOU AN OWNER OR EMPLOYEE IN NEED OF TRAINING?

**DO YOU WANT** TO PROTECT YOUR BUSINESS FROM  
EXCESSIVE FINES

OR

THE POSSIBLE LOSS OF YOUR:

TOBACCO LICENSE

LOTTO LICENSE

ALCOHOL LICENSE?

**DO YOU WANT** TO BE CERTIFIED IN SECTION 609 MOTOR  
VEHICLE AIR CONDITIONING (MVAC)?

### ***THE NEW YORK STATE ASSOCIATION OF SERVICE STATIONS & REPAIR SHOPS***

OFFERS ON-LINE COURSES THAT NOT ONLY PROVIDE  
TRAINING AT YOUR CONVENIENCE, BUT AT VERY  
COMPETITIVE PRICES FOR BOTH MEMBERS AND NON-  
MEMBERS OF OUR AFFILIATES

ALL INFORMATION AND MATERIALS ARE PROVIDED  
THROUGH OUR WEBSITE AT:

**[NYSASSRS.COM](http://NYSASSRS.COM)**

QUESTIONS CAN BE DIRECTED TO (518) 452-4367. WE  
ARE AVAILABLE TO PROVIDE PERSONAL ASSISTANCE.



## Garage Insurance Survey

Name of Business:		
Street Address:		
City:	State:	Zip:
Phone #	Fax #	E-Mail:
Contact Person:		Phone # (if different from above)
Are you happy with the cost and service provided by your carrier/agent?		Yes      No
If yes STOP here...		
If NO or NOT SURE you may want to look at the following		
Is your coverage insufficient?	Yes	No
Is the service poor to non-existent?	Yes	No
Is the cost too high?	Yes	No
Are you satisfied with your current coverage?	Yes	No
Are you interested in a quote from another insurer?	Yes	No
Is so please check each that apply:		
<input type="checkbox"/>	<input type="checkbox"/>	Property & Casualty
<input type="checkbox"/>	<input type="checkbox"/>	Workers Comp
<input type="checkbox"/>	<input type="checkbox"/>	Disability
<input type="checkbox"/>	<input type="checkbox"/>	Health
If you checked one or more of the above please provide the following information:		
Name of Current Insurer:		
Type of Insurance:		
Renewal Date:		
When/How is the best time to contact you?		

If you are interested in learning how you may save on insurance costs  
Please fill out and fax to your local association at 518-452-1955



# **Bradley & Associates, Inc.**

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## **ACCOUNTANTS & CONSULTANTS**

P.O. Box 1093 • Latham, NY 12110  
417 Troy-Schenectady Road

- *Monthly Financial Statement*
  - *Quarterly Payroll & Sales Tax Reports*
    - *Year End Reports & Tax Returns*
- 

*Specialized Reports For The  
Service Station Industry*

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Call For Your Free Consultation & Evaluation  
**(518) 783-8492**

# GRANY

## LEGAL PLAN

As a member in good standing of the Association, you are entitled to participate in our group legal service plan. If you are in need of this service, you must first call the Association office at (518) 452-4367. An appointment will be arranged that will be convenient for you and the attorney.

*Covered services available to members include:*

- Defense in Small Claims Court if your business is sued or at Department of Motor Vehicles or at any other New York State Administrative Proceeding hearing. (Once per year.)
- Review of leases, supply contracts and franchise agreements to advise you of your obligation under these contracts. The plan does not include actual negotiation on your behalf. (One hour per issue, up to five hours per year.)
- Consultation on legal questions pertaining to your business. (One hour per issue, up to five hours per year.)

Appeals of judgments against you are not a covered benefit, but are available to members at special contract prices.

Additional legal services will be provided by the designated law firm's standard hourly rate less 15%. Special contract prices have also been negotiated for the following services.

- Residential real estate purchase or sale. The designated law firm will represent you in the sale of purchase of your primary residence and/or a second home or vacation property at the following rates:

Sale	\$295.00
Purchase	\$350.00
- Simple will \$75.00                      Simple will (husband and wife) \$125.00

In order to participate in the plan you must be a member in good standing and must have been a member for ninety days prior to the need for legal service.

**CIGARETTE SALES TO MINORS**  
**CLERK CERTIFICATION**  
COMPLIANCE WITH THE NEW STATE CERTIFICATION OF  
CLERKS WHO SELL TOBACCO PRODUCTS

CERTIFICATION OF A CLERK WHO SELLS TOBACCO PRODUCTS  
POINT REDUCTION CLASS

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

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

WHERE:

ASSOCIATION OFFICE  
6 Walker Way  
Albany, New York 12205

WHEN:

The First Tuesday of every month at 2:00 PM  
The Third Wednesday of every month at 10:00 AM

COST:

MEMBERS: \$15.00 - NON-MEMBERS \$30.00

**PLEASE CALL FOR RESERVATIONS AT (518) 452-4367**

**SPONSORED BY: GRANY**



Department of  
Motor Vehicles

APPLICATION FOR CERTIFICATION AS A  
MOTOR VEHICLE INSPECTOR

♦ **FOR ORIGINAL APPLICATIONS:** Answer **ALL** questions on **Page 1** and **Page 2** that apply to you, and **SIGN** the application on **PAGE 2** or it will be returned to you for completion. You **MUST** be at least 17 years old and have **AT LEAST ONE YEAR OF MOTOR VEHICLE REPAIR EXPERIENCE** in the last 5 years immediately preceding this application, in the area in which you apply to be certified, or you must provide a copy of an acceptable school diploma in vocational motor vehicle trades. When your application is approved, DMV will notify you by mail of the date, time and location of the inspector training class. You **MUST** present photo ID at the class as proof of identity. If you have difficulty reading or understanding written material, please contact the office identified at the bottom of page 2 of this form.

♦ **FOR AMENDMENT AND DUPLICATE APPLICATIONS:** Answer questions 1-21 and **SIGN** in #25.

♦ **REQUIRED FEES**

Non-refundable application fee (\$10) and three-year certification fee (\$15).

**Make check or money order for \$25 payable to the Commissioner of Motor Vehicles. You MUST send your check with this application. Starter checks are not accepted.**

FOR OFFICE USE ONLY					
CIA	CIO	CIC	CIS	CIG	CID
Certificate Number		County			
CIRCLE ONE: <b>OE</b> <b>ADD</b>					
Note: Check or money order <b>must</b> be attached to enter OE or ADD					
Group(s)	1	2	3		
	A	A	A	A	
		Y	N		
<input type="checkbox"/> Address Change					
<b>TEST RESULTS</b>					
Group(s)	1	2	3		
	P	P	P	P	
	F	F	F	F	
	N	N	N	N	
	W	W	W	W	
	Y	N	N	Y	

1♦ Check type of application: ☐ ORIGINAL ☐ AMENDMENT (No Fee) ☐ DUPLICATE (No Fee)

2♦ Have you ever applied for or taken a test to become a Certified Motor Vehicle Inspector? ☐ Yes ☐ No

3♦ Have you ever been a Certified Motor Vehicle Inspector and/or Body Damage Estimator?  
☐ Yes ☐ No If "Yes," please write your Certification No. \_\_\_\_\_

4♦ Check all certification groups for which you are applying.

- ☐ **Group 1** (Allows an individual to conduct safety, diesel emissions, OBDII emissions, and low enhanced emissions inspections of motor vehicles that have a seating capacity under fifteen passengers, and motor vehicles and trailers that have a MGW under 18,001 pounds, except motorcycles and semi-trailers)
- ☐ **Group 2** (Allows an individual to conduct safety and diesel emissions inspections of motor vehicles that have a seating capacity over fourteen passengers, motor vehicles and trailers that have a MGW over 18,000 pounds, and semi-trailers, except motorcycles)
- ☐ **Group 3** (Allows an individual to conduct safety inspections of motorcycles)

Please **print** or **type** in the open spaces next to the arrows.

LAST NAME		FIRST	M.I.	DATE OF BIRTH Month / Day / Year		SEX Male <input type="checkbox"/> Female <input type="checkbox"/>	
MAILING ADDRESS (Include Street No., Rural Delivery and/or Box No.)				HEIGHT Feet / Inches		EYE COLOR	
STREET NAME			APT. NO.	HOME TELEPHONE (Include Area Code)			
CITY OR TOWN			STATE	ZIP CODE	COUNTY		
HOME ADDRESS (If Different From Mailing Address) NUMBER AND STREET (Include Street No., Rural Delivery and/or Box No.)				APARTMENT NO.	CITY	STATE	ZIP CODE

16♦ Has your address changed since your last certification was issued? ☐ Yes ☐ No

CLIENT IDENTIFICATION NUMBER (From New York State driver license or non-driver ID)

NOTE: Failure to provide a valid Client ID number will prevent issuance of a Certified Inspector card.

17♦ 

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☐ Check this box if you do not currently have a New York State driver license or non-driver ID. A form (ID-5 VSCI) will be mailed to you with instructions on how to obtain a Client ID number.

PLEASE CONTINUE, AND SIGN ON PAGE 2.



18 PRESENT EMPLOYER	19 FACILITY NUMBER	20 BUSINESS TELEPHONE NUMBER ( )
21 BUSINESS ADDRESS (NUMBER AND STREET) CITY		STATE ZIP CODE

**22 FOR ORIGINAL APPLICATIONS ONLY**

Have you ever been convicted of any felony, misdemeanor or improper motor vehicle inspection?

☐ Yes ☐ No

If "YES," give details below: (Applicants will not necessarily be rejected because of a conviction record. Such applications will be reviewed on an individual basis.)

Date of Violation	Nature of Violation	Date of Conviction	Disposition & Fine	Court Location

**23 FOR ORIGINAL APPLICATIONS ONLY**By month and year, list the dates of all your motor vehicle repair experience. You must have at least one year of motor vehicle repair experience in the last five years **immediately preceding** the date of this application. Attach additional sheets if necessary.

Dates (From - To)	Employer's Name and Address	Describe Type of Repairs Performed (be specific)

**24 FOR ORIGINAL APPLICATIONS ONLY**List any trade school, vocational school, or other motor vehicle repair courses taken. Only approved schools are acceptable. You must provide a **COPY** of your diploma if you have less than one year of work experience.

Dates Attended	School Name and Address	Type of Course	Degree, Diploma or Certificate

Section 304(a) of the Vehicle & Traffic Law provides for the certification of motor vehicle inspection personnel. A Certified Inspector agrees to comply with the rules and regulations promulgated by the Commissioner of Motor Vehicles. Failure to comply with these rules and regulations may result in the revocation of this certification.

**FALSE STATEMENTS MADE ON THIS APPLICATION ARE PUNISHABLE UNDER THE PENAL LAW.**

**25 NAME** (PLEASE PRINT) \_\_\_\_\_**SIGNATURE** \_\_\_\_\_

(Sign Name in Full - DO NOT PRINT - No Nicknames)

Date \_\_\_\_\_

♦ **SEND APPLICATION AND CHECK TO:**

BUREAU OF CONSUMER AND FACILITY SERVICES  
 Attn: Certification Unit  
 PO Box 2700  
 Albany NY 12220-0700  
 Telephone (518) 474-7998

NOTE: Notify this office of any change in your address.

