



April 2012

# Dateline: NH

a publication of the New Hampshire Automobile Dealers Association

## Anatomy of a Victory

Peter J. McNamara, President

You've certainly heard about the decision by the NH House of Representatives to declare HB 1693 (the every-other-year inspection bill) as "Inexpedient to Legislate" (to kill the bill).

By a vote of 238 to 110, the House soundly rejected the latest attempt to change NH's safety laws. You also know that the House passed the same bill last year with a vote of 234-101.

But the question still lingers: Why did NHADA win by 128

votes when the year before it lost by 133 votes? The simple answer is – grassroots!

This article will attempt to lay out the skirmishes that led to the defeat of the bill.

### First a quick snapshot on the House legislative bill process



A 2012 email appeal to members

After a bill is filed it is assigned to a committee. The committee holds a public hearing and sometimes assigns the bill to a sub-committee to work on the bill afterwards. Ultimately the committee makes a recommenda-

tion to the full House to pass (sometimes with changes or amendments) or to kill a bill (sometimes they choose to hold on to and study a bill). The full House then must decide to accept or reject the committee's recommendation. If it rejects it, then it must come up with another conclusion. For example, if the committee recommends killing a bill, the full House can reject that recommendation and then vote to pass the bill.

When I ran political campaigns, the motto we used was: "Win by addition."

Victory – continued on page 10

## Methadone Use, Drug Testing, and Fitness for Duty

Jennifer Moeckel, Esq.

*Imagine this:* One of your long-term, highly skilled technicians asks to speak with you privately. He tells you that he is going through a voluntary treatment program for drug abuse and has been prescribed methadone as part of the program. What should you do?

**"A blanket rule sounds enticing as it's easy – however, in a non-DOT governed situation, a blanket rule could be a problem."**

*Or this:* As part of your pre-employment drug testing program, you tell an applicant that she will be sent for a drug test. She blurts out that she thinks she will test positive because she takes methadone. She goes for the test, and it comes back negative. What might have happened? What should you do?

*Information about Methadone:*

Methadone is a medicine (narcotic) that is lawfully prescribed for pain relief and for individuals recovering from opiate addiction through drug treatment programs. According to the National Highway Traffic Safety Administration Drug and Human Performance Fact Sheet on Methadone, effects of methadone can include *Methadone – continued on page 13*

## FTC Takes Action To Stop Deceptive Car Dealer Ads

Federal Trade Commission Press Release

Five car dealers around the country have agreed to Federal Trade Commission settlement orders that require them to stop running ads in which they promise to pay off a consumer's trade-in (visit <http://1.usa.gov/GDeNWh>) no matter what the consumer owes on the vehicle.



The FTC charged that the ads, which ran on the dealers' websites and on sites such as YouTube.com, deceived consumers into thinking they would no longer be responsible for paying off the loan balance on their trade-in, even if it exceeded the trade-in's value (i.e., the trade-in had "negative equity"). Instead, the dealers rolled the negative equity into the consumer's new vehicle loan or, in the case of one dealer, required consumers to pay it out of pocket.

The proposed settlements, reached as part of the FTC's ongoing efforts to protect consumers in financial distress (visit <http://1.usa.gov/GDf2ki>), bar all of the dealers from making similar deceptive representations in the future. The cases are the first of their kind brought by the FTC. The commission also issued a new consumer education *FTC – continued on page 16*

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1/3 Page:	Color \$375	B&W \$300
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**April 5** Hazardous Materials Three-Year Certification Training

**April 11** F&I: Perfecting Menu Selling

**April 24** NH Title Regulations

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**Claim Summary 2011 vs. 2012\***

	2011	2012
<b>Total Claims</b>	178	128
<b>Lost Time Claims</b>	27	23
<b>Total Incurred</b>	\$1,123,495	\$598,956
<b>Slip/Fall Ice</b>	59	23
<b>Slip/Fall Ice Incurred</b>	\$692,369	\$68,438

\*Valued as of 3/12/2011

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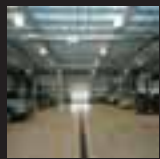


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**Employers should ensure that any follow-up medical questions or exams are related to the disclosure of the methadone use...**

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<http://1.usa.gov/GDf8bH>

**In addition, the complaints in three of the cases allege violations of the Truth in Lending Act (TILA) and its implementing Regulation Z for failing to disclose certain credit-related terms...**

<http://1.usa.gov/GDeNWh>

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<b>Safety/OBD II Inspections Statistics</b>				
<b>Safety Inspection Results</b>	<b>Feb '12</b>	<b>% of Total</b>	<b>YTD '12</b>	<b>% of Total</b>

<b>2011-12 Unemployment Rates by Area</b>			
	<b>Nov</b>	<b>Dec</b>	<b>Jan</b>
<b>United States</b>	8.2%	8.3%	8.8%
<b>New England</b>	6.8%	6.9%	7.9%
<b>Connecticut</b>	7.9%	7.6%	8.5%
<b>Maine</b>	6.7%	7.0%	7.9%
<b>Massachusetts</b>	6.4%	6.5%	7.7%
<b>New Hampshire</b>	4.9%	4.9%	5.7%
<b>Rhode Island</b>	10.4%	10.7%	11.7%
<b>Vermont</b>	4.7%	4.9%	5.6%

<b>OBD II Inspection Results (1996 and newer)</b>				
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**\* Total numbers include OBD II Inspections**



ly/GFOTQR

[http://bit.](http://bit.ly/GFOTQR)



## Title Statistics Report Ending February 29, 2012

*New Hampshire Department of Safety, Division of Motor Vehicles*

	Feb 12	Feb 11	12YTD	11 YTD
Titles Issued for New and Demo Vehicles:	6,985	5,456	14,812	12,552
Titles Issued for Used Vehicles:	16,561	13,772	32,140	28,600
<b>TOTAL TITLES ISSUED:</b>	<b>23,546</b>	<b>19,228</b>	<b>46,952</b>	<b>41,152</b>
Titles Issued with a Lien:	10,212	8,026	20,761	17,551
Titles Issued with no Lien:	13,334	11,202	26,191	23,601
Salvage Titles Issued:	1,167	1,001	2,126	1,891
Salvage Tags Issued:	237	140	390	270
Titles Issued for Heavy Trucks More than 15 Years Old:	24	21	62	47
Titles Issued for Heavy Trucks 15 Years Old or Less:	135	109	261	227
Titles Issued for Trailers:	382	327	826	681
Titles Issued for Motorcycles:	551	326	923	668
Titles Issued for Motor Homes:	33	23	55	51

# 2012 NHADA Association Partners

(as of March 22, 2012)

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