April, 2006

Dateline: NH

a publication of the New Hampshire Automobile Dealers Association

Meet Your Partners

(See pages 6, 10, 13, 16, and 19)

Inside this Issue

www.nhada.com

We Are Halfway Through the Session

Daniel B. McLeod

There are two things in life you can count on – death and taxes. Let me include a third – "Legislative Sessions."

The Legislature used to meet once every two years; but under the guise of better fiscal management, the people spoke and passed a Constitutional Amendment in 1984 calling for annual Sessions.

Every January, they come together and start with the process of determining the fate of 1200-1500 new bills (are there really that many things wrong in New Hampshire?); and in the even year of the Session, there will be another couple of hundred retained bills with which to be dealt.

Although not in Session, the fall has become a very busy time with committee meetings on retained and statutory study bills. In effect, our citizen New Hampshire Legislature has become a full-time job that still pays $100 per year! In my opinion, the legislative responsibilities and personal and political pressures on our 424 volunteer legislators have increased tremendously since annual Sessions started 20 years ago. Another by-product of annual Sessions – a growing cottage industry in Concord that generates well over $1 million, with over 600 registered clients and their lobbyists, to promote the best interests of their clients.

To no one's surprise, critical issues just seem to keep coming back Session after Session. A certain issue will be taxes. The New Hampshire Legislature has consistently voted against broad-based sales or income taxes. We have a tax structure, which is multi-faceted, but primarily relies on both the Business Profits and the Business Enterprise Taxes. I absolutely hate the fact that the Business Enterprise Tax, in part, taxes debt! It is my opinion that a broad-based tax remains completely out of the picture.

I am sure you are all aware that, once again, the education-funding formula passed by the Legislature last year has been ruled unconstitutional. The State will appeal the case, and the Supreme Court will again deal with education funding and will, in all likelihood, come to the same conclusion. As I write this article, it is questionable whether the Senate and the House will adopt a Constitutional Amendment that would remove the court's authority. Considering the political landscape on this issue, a Constitutional Amendment will not pass. In simple math, the House and Senate must approve the measure by a three-fifths vote, and the people have to pass it by a two-thirds vote. Our Legislature will be grappling with this issue for many years to come.

Session - Continued on page 4

Published monthly at Bow, New Hampshire, by the New Hampshire Automobile Dealers Association. Mailing address: P. O. Box 2337, Concord, NH 03302-2337, 603-224-2369/ 800-852-3372.

STAFF

Publisher	Rich Lovering
Editorial Director	Daniel B. McLeod
Managing Editor/ Design and Layout	Louanne Theriault
Typographers	Louanne Theriault, Donna Sopper, Lisa Lavoie
Advertising Coordinator	Lisa Lavoie
Photographer	Michael Rosenblum

NHADA membership has reached an all-time high, with 13 new members this past month.

Be on the lookout for your 2006-2007 membership renewal, which is due May 1. Your membership is valued!

(See "Membership" article on opposite page)

New Members

Hannaford & Hamel Autobody, LLC
1086 Candia Road
Manchester, NH 03109
Owners: Leah & Andre Hannaford

Focus Automotive, Inc.
dba The Saabshop
714 Route 3A
Bow, NH 03304
Owners: Walter and Michelle Cogan

KDF, Incorporated
dba Subaru of Keene
14 Production Avenue
Keene, NH 03431
Owner: William F. Fenton

Southern New Hampshire RV L.L.C.
335 Route 125
Brentwood, NH 03833
Owners: Joseph Copello and Lee Metz

GTA Auto Service LLC
19 Perry Road
Milford, NH 03055
Owner: William Mahar

GPI NH-T, Inc.
dba Ira Toyota of Manchester
33 Autocenter Road
Manchester, NH 03103
Contact: David S. Rosenberg, President

FAB FOUR INC.
dba Granite State Motor Sales
626 Suncook Valley Highway
Pittsfield, NH 03263
Owners: Steve and Linda Catalano

Dover Cadillac, LLC
38 Dover Point Road
Dover, NH 03820
Owners: James Boyle and Kazem Yahyapour

Nashua Outdoor Power Equipment Repair, Inc.
44 Broad Street
Nashua, NH 03064
Owner: Frederick Hayden

Lodi Automotive LLC
dba Miller Automobile Company of Lebanon
51 Evans Drive
Lebanon, NH 03766
Owner: Joseph Cicotte

Aziz Motors, LLC
20 Cottonwood Road
Plaistow, NH 03865
Owner: Edward G. Aziz, Jr.

John's Corvette Service, Inc.
1290 Union Avenue
Laconia, NH 03246
Owners: John and Cheryl Barton

Front Line Ready, Inc.
5 Skyline Drive
Sanbornton, NH 03269
Owner: John Bernard

Membership Does Make a Difference

Daniel B. McLeod

With six weeks still to go before the beginning of the new Association year, May 1, NHADA has set a new membership record with 614 members! As a point of reference, this is up by approximately 100 members since 2000.

The strength of NHADA in the past, and in the future, lies with its members. As we increase our membership and more automotive-related businesses come on board and experience the benefits of NHADA membership, there are a multitude of factors that are significant. First and foremost, our grass roots are extended, and our political punch is strengthened. While we cannot be all things to all members and we cannot resolve all individual problems, collectively, we represent the best interests of the motor vehicle industry in New Hampshire.

Much of our membership growth in the past year is a result of the many outstanding programs that we offer our members:

• Our Workers' Compensation program continues to excel and strives to help members reduce claims and, therefore, premiums, every year. The new "Strategic Hiring Guidelines" *(see page 8)* will once again demonstrate the forward thinking of the NHADA WCT Trustees.

• Our NHAD Services - Insurance Division provides topnotch competitive health and dental benefits and has a first-class, professional customer service staff.

• Our NHAD Services - Products Division is a major force in the forms industry in New Hampshire. Make no mistake, while there may be "better offers" presented to our members by a competitor, those "better offers" are short-lived and, if anything, are the direct result of NHAD Services being a major force in the marketplace. Ask yourself, would a single vendor be good or bad for our dealers? You know the answer, and I certainly hope you will support the NHAD Services in their competitive efforts!

• Our New Hampshire Automotive Education Foundation (NHAEF) offers close to 40 seminars per year for our members. The seminars are reasonably priced, timely, informative, and are of great benefit to the profitability of our members. We also continue to work with our secondary and post-secondary automotive programs in the state and have experienced tremendous success over the past five years.

I am extremely proud of NHADA and all of the good things we do for our members. I am even more proud of the fact that I work for a group of dedicated Directors and Trustees who serve on the boards of NHADA, NHADA Workers' Compensation Trust, NHAD Services, and NHAEF. It is their strength and vision that have set the standard for this topnotch Association.

I encourage all members of NHADA to take full advantage of their membership. When you take advantage of your membership, you are actually helping yourself and increasing the strength of your Association. This is all very good for you, for your industry, and for the state of New Hampshire.

The New Hampshire Automotive Education Foundation is proud to sponsor
KIDS AND COMPANY ® Child Safety Training
by the National Center for Missing & Exploited Children
April 4, 5, and 6 • Location: Northeast Delta Dental, Concord
For information, contact Jean Conlon at 800-852-3372.

NHAEF Center for Automotive Education and Training

Upcoming Seminars – REGISTER ON-LINE (www.nhada.com)

April 12 & 13	Dissecting the Financial Statement - George Grabowski, NADA ***(see "NADA at NHADA" article below)***
April 18	Desking for Managers
April 19 & 20	Professional Selling Skills *(beginner/intermediate)*
April 25	Strategic Hiring Guidelines ***(see article on page 8)***
May 9	The Effective Service Advisor
May 10	Advanced Service Management
May 11	Parts Management
May 12	The Effective Service Advisor
May 18	Hazardous Materials Certification Training – Ground and Air Shipping
June 14	The Fundamentals of Workers' Compensation – A-Z Guide to WC Management and Compliance
June 27*	Employee Handbooks

*Date was changed from March 28.

Seminar dates are subject to change. Please contact Brendan Perry or Jean Conlon at 800-852-3372 for additional information.

NADA at NHADA

A Great Opportunity in Your Own Backyard!

On April 12 and 13, George Grabowski, Management Instructor at the NADA Dealer Academy, will be presenting "Dissecting the Financial Statement" at NHADA headquarters in Bow.

This two-day seminar will include a detailed look at the accounts on the financial statement and how analysis can be done to determine strengths and weaknesses at the dealership.

Areas to be covered include:

- Frozen Capital in Receivables and Inventories
- LIFO
- Labor Accounting
- Cash Gap
- Days' Supply of Inventories
- Review of Gross Percentages on Parts, Service, and Body Shop Sale Accounts
- Cash Management

This is a great opportunity to receive quality training without plane fares and other travel expenses. Space is limited. Register on-line today at www.nhada.com.

If you have any questions, please contact Jean Conlon at 800-852-3372.

Session - Continued from page 1

At this point, flying under the radar of the media, the Legislature continues to work on the future of the New Hampshire OBD II testing program. The Senate passed SB 341, which extends the OBD II advisory period for one year. The House Transportation Committee will review this legislation and could possibly make changes that would remove the advisory period and institute waivers.

March 22 was the deadline set by the House and the Senate to complete all bills originating in each respective body. For the next couple of months, and probably into June, the Senate will wrestle with well over 400 House bills. The House will have a much-reduced schedule in dealing with the Senate bills. Watch the House and Senate battle over the surplus!

When the House and the Senate bang their gavels and finally end the 2006 Legislative Session, the New Hampshire Secretary of State's office will be open for a filing period in which all candidates for State elective offices must file for office. The next step in the process is to raise money and gear up their campaigns for the September primary; and, if winners, it's on to the November General Elections.

Then, guess what happens. Just like death and taxes, the Legislature starts up again in January, 2007.

New on www.nhada.com – E-Mail A Friend!

As you know, many different topics are covered each month in *Dateline: NH* that may be pertinent to not only you, the dealer principal or the owner, but also to certain personnel in your business. *Dateline: NH* is available on www.nhada.com to anyone; however, we have added a new feature – **E-mail A Friend!** – that makes it quick and easy to forward articles of interest to individuals. Simply click on **E-mail A Friend!** (located in the upper right-hand corner of the article), and a box will appear on your screen. Enter your name and e-mail address and the name and e-mail address of the person you would like to receive the article, add a short note if you wish, and click Submit. This is a great way to keep your employees informed on issues that impact them directly.

Northeast Delta Dental

~ Silver ~


Don Boyd

Most members will recognize longtime supporter Don Boyd, Division Sales Manager at Northeast Delta Dental. An NHADA-endorsed company *(see ad on page 3)*, Northeast Delta Dental administers dental benefits to over 325,000 people in New Hampshire. Award-winning for its management practices, it is known regionally for its Guarantee Of Service Excellence℠ program, guaranteeing seven service areas with a group refund policy. Don may be reached at 223-1346 or at dboyd@nedelta.com.

DELTA DENTAL®
Northeast Delta Dental

Employment and Labor Law "Check List"

The First Day – Employee Handbooks

The following article covers what an employer must do, or should have ready, when an employee arrives for his or her first day of work and gives a brief overview of the sections that may be included in an employee handbook relative to employee insurance benefits.

What to Have Ready

In general, New Hampshire employers need to remember that New Hampshire law mandates that employers provide to employees, in writing, the employer's practices and policies with regard to vacation pay, sick leave, and other fringe benefits. As such, a New Hampshire employer must provide its employees with written notice *every time it changes* a practice or policy with regard to vacation pay, sick leave, and other fringe benefits.

Check List - Continued on page 9

Strategic Hiring Guidelines

A Must for the Profitability of Your Business

Daniel B. McLeod

Unfortunately, hiring mistakes negatively impact profitability. Turnover is costly, and Workers' Compensation hiring-mistake claims can cut into the bottom line of your business.

Thanks to your proactive NHADA Workers' Compensation Trust Board of Trustees, all NHADA members will now have an opportunity to reduce both turnover costs and Workers' Compensation claims through the implementation of the user-friendly *"Strategic Hiring Guidelines"* program.

There are several very important considerations related to this program (see *"Hiring Flow Chart"* opposite). The various components of the program stand on their own, and members can determine which aspects they wish to incorporate. From the Workers' Compensation perspective, the implementation of drug tests and post-offer and pre-placement physical examinations are cost-effective measures that will help you hire the most qualified people. Drug testing is obvious. Pre-placement physicals will help you hire the right individuals for the demands of their jobs and will identify claims that rightfully belong in the Second Injury Fund and not counted against your experience.

The *"Strategic Hiring Guidelines"* program has passed all legal standards. If there are changes to the law, those members who decide to participate in the program will receive the appropriate updates.

HIRING FLOW CHART

The *"Strategic Hiring Guidelines"* program is a new tool you can add to enhance the profitability of your business. A formal, consistent hiring process will provide substantial and measurable benefits to you.

A seminar will be presented at NHADA headquarters on April 25. Below is a sampling of contents in the program and what will be covered in the seminar:

- Hiring Guidelines (including sample forms, many of which are customizable, such as Application for Employment, Proof of Permission for the Employment of a Youth, Conditional Offer of Employment and Withdrawal of Conditional Offer Letters, etc.)
- Interview Process (sample Interview Questions and Comment Sheet)
- Fair Credit Reporting Act (including sample records disclosure and authorization forms and ADP's Employee Screening Services)
- Pre-Placement Drug Test and Pre-Placement Physical and/or Capacity Examinations (including step-by-step approaches and protocols and policies for each)
- Second Injury Fund information
- Pre-Placement Providers
- NHDOL and USDOL Frequently Asked Questions
- Resources

*** **A first-come, first-served seminar – check you mail for registration materials** ***

Check List - Continued from page 6

• Holidays: This section should outline how many holidays employees are entitled to each year. Though it is typical to list the holidays that the employer usually recognizes, it is advisable to state that designated holidays may vary from year to year; this provides flexibility to the employer. It should also be stated whether an employee (full-time, part-time, temporary) will or will not be entitled to "paid" holidays.

• Vacation Time: This policy should spell out the following:

1. Who is entitled to vacation time (e.g., full-time, part-time, temporary);

2. How vacation time is accrued (e.g., one week after first anniversary or one day per month);

3. Whether vacation time is paid or unpaid;

4. When an employee is/is not permitted to take vacation time (e.g., no vacations during the Thanksgiving weekend);

5. How an employee should request vacation time (e.g., notify immediate supervisor);

6. How long a vacation may be (e.g., no more than two weeks);

7. Whether vacation time may or may not be carried over to the following year;

8. Whether there are any "caps" on the amount of accrued vacation time (e.g., no more than four weeks accrued); and

9. Whether there is a "use it or lose it" policy with regard to vacation time.

Many times employers mistakenly assume that an employee who separates from employment, whether the employee resigns, retires, or is terminated, is not entitled to his/her accrued, unused vacation time. In New Hampshire, vacation pay, severance pay, personal days, holiday pay, sick pay, and payment of employee expenses, when such benefits are a matter of employment practice or policy, or both, are considered "wages." Because New Hampshire permits the employer to "develop" its "employment practice or policy," an employer may stipulate when an employee who separates from the employer is or is not entitled to such pay. For instance, an employer may have a policy that provides that only employees who give two weeks' notice of their intent to leave, whether through resignation or retirement, are entitled to any accrued, unused vacation pay. Such policy may also state that employees who are terminated are not entitled to any accrued, unused vacation policy.

Insurance Benefits

There are no Federal or New Hampshire laws mandating that employers provide any type of insurance to their employees. Regardless, many employers offer some combination of health, dental, long-term/short-term disability, life, and accidental/dismemberment insurances to their employees. (Workers' Compensation and unemployment compensation are not discussed in this article.)

Check List - Continued on page 10

Check List - Continued from page 9

As you know, insurance companies provide employers with detailed plan documents that outline the terms and conditions of the insurance. The employee handbook should not be a reiteration of these plan documents, but rather a very brief overview of the benefits provided. An introductory paragraph should include the following points:

- A statement that the benefits and the premiums are subject to change at the sole discretion of the employer. Please note that the employer may not be able to unilaterally change the employees' contributions to premiums if the amounts to be paid by employees were negotiated in a collective bargaining agreement or in respective employment contracts.

- A statement that the handbook and the plan documents do not constitute contracts for continued benefits.

- A statement that the descriptions of the various types of insurance are "short" and that they do not describe all of the various plan benefits, limitations, and eligibility.

- A statement that the employee may examine the individual plan documents.

For each specific insurance benefit, the following should be explained:

- A statement specifying who is and is not eligible for benefits. For instance, the employer may only wish to provide health insurance to full-time employees who have completed two months of continuous full-time employment.

- A statement that discusses in very general terms who is responsible for paying the premium. As an example, the handbook might state that the employer will pay the premium for basic health insurance coverage for any employee but that the employee is responsible for any additional costs for the employee's family members.

- A statement addressing when the employee must make contributions for the premium and whether such contributions may be taken out of the employee's check.

Many handbooks also contain a provision that explains the Consolidated Omnibus Budget Reconciliation Act of 1985 ("COBRA"), which permits employees to continue health care coverage if they lose such coverage due to a "qualifying event" (e.g., termination). This section should be very brief and only provide a general overview of what COBRA entails. It should state that COBRA applies to "eligible" employees and their "qualified beneficiaries." It may also discuss what constitutes a "qualifying event," the cost to an employee, and how the employee should pay the premiums (e.g., pay directly to the employer). Please note that COBRA applies to employers with 20 or more employees. New Hampshire has similar laws which apply to employers with fewer than 20 employees.

(This article was provided by the Devine, Millimet & Branch Labor, Employment and Employment Benefits Group)

Healthy Hints

Epicondylitis

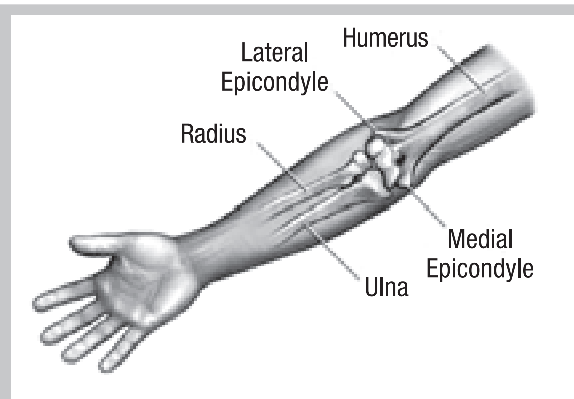
J. Marta Robbins, RN, BSN
NHADA WCT Nurse Case Manager

Elbow injuries have cost NHADA WCT members over $850,000 since 2001. It is the fifth most costly injury behind backs, shoulders, knees, and fingers and the second most costly on an average per-claim basis. We hear a lot in the press about the billions of dollars spent on back injuries, but the elbow gets very little press.

Elbow injuries can be just as costly to the dealership in lost productivity, just as painful to the injured employee, and even more expensive to treat on average than a back injury. Like most injuries, many elbow injuries can be prevented with appropriate workplace ergonomics and exercise. By spotlighting elbow injuries, we hope to heighten members' awareness and reduce the costliness of these claims.

Most everyone at one time or another has heard the terms *tennis elbow* or *golfers elbow (aka Epicondylitis)*, and most would think these are conditions that someone may suffer from when they have been taking in too much golf or tennis in their free time. Actually, those two leisure activities are not the only causes of these conditions. Activities that can increase our risk of developing Epicondylitis are repetitive movements of the forearm, wrist, and fingers. These include activities such as grasping and twisting arm movements that may occur in your activities of daily living or with work. Epicondylitis can also be brought on by heavy lifting, improper techniques while doing certain movements, improper use of equipment for work, home or sports, your age, and a history of prior tendon injuries.

Epicondylitis is an inflammation and/or tearing of a muscle or tendon at the area of the elbow. There are two types of Epicondylitis – Lateral and Medial.



• Lateral Epicondylitis: This condition is more commonly known as *tennis elbow*. This occurs when the outside of the elbow is inflamed. Lateral Epicondylitis is the most common form of Epicondylitis. The tendons involved in this condition are responsible for anchoring the muscles that extend and lift the wrist and hand. Although there can be many causes for *tennis elbow*, it is a degenerative condition of the tendon fibers that attach on the bony prominence (the Epicondyle) on the outside (lateral side) of the elbow. The person that suffers from Lateral Epicondylitis may feel pain on the outer side of the elbow when lifting heavy weights. What is happening is that the weakened tendon becomes more vulnerable to tears and ruptures from a sudden accidental blow, a fall, or any forceful movement.

• Medial Epicondylitis: This condition is sometimes referred to as *golfers elbow*. This occurs when the inside of the elbow becomes inflamed. The Medial Epicondyle is the funny bone on the inside of the elbow. The muscles that bend the wrist down start at this point of the arm. Just as with Lateral Epicondylitis, there can be many causes of this condition; but forceful and repeated bending of the wrist and fingers can cause tiny ruptures of the muscles and tendons of this area, which can then result in Medial Epicondylitis. Symptoms of Medial Epicondylitis may include tenderness and pain at the Medial Epicondyle; this is made worse by bending/flexing of the wrist.

Although these two problems have different names and involve different areas of the elbow, their treatments are very similar.

• Since the pain is being brought on by inflammation, the goal for the primary treatment plan is to decrease and or alleviate the inflammation. The person experiencing symptoms brought on by Medial and Lateral Epicondylitis will be encouraged to use an anti-inflammatory medication. This will not only reduce the inflammation, but will also help with the discomfort and pain that the inflammation causes.

• Resting the area is also a method of treatment. This can be with the use of an elbow strap or wrist brace. It can also include activity rest, which may mean a decrease in some activities or complete avoidance of the activities that are causing increased discomfort.

• A medical provider may also suggest Physical Therapy for the treatment of Epicondylitis. Formal physical therapy can provide certain modalities that may calm down the symptoms of Epicondylitis, such as iontophoresis, ultrasound, and hot/cold therapy.

• A cortisone injection may be given when the symptoms don't respond to the anti-inflammatory and other treatment options.

• When conservative treatment fails, surgery is considered as a last resort.

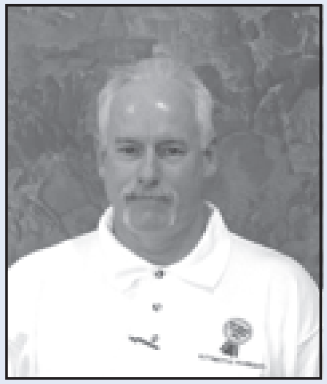
As with most injuries, prevention is the best treatment of all. With Epicondylitis, the best way to prevent it is to stretch and strengthen your arm muscles so that they are flexible and strong enough for the activities on which you take. Other ways to battle this difficult diagnosis is with proper use of equipment, good body mechanics, staying in overall good shape and health, and trying to avoid repetitive use of an extremity by alternating arms during activities.

New on www.nhada.com

The on-line **compmc Participating Providers Network Directory** has been updated and is now listed by County. This change will allow WCT members to more easily identify and locate Providers. Click on NHADA Affiliate Programs in the Site Map, then NHADA Workers' Compensation Trust, then compmc Participating Providers Network Directory.

Aftermarket Specialists/Royal Administration

~ Bronze ~


Larry Cunningham

Aftermarket Specialists/Royal Administration provides aftermarket service contracts and other F&I-related products. They are the only service contract company founded and based in New England. For more information, please feel free to contact Larry Cunningham toll free at 800-871-0467 or on his direct line at 617-921-3040.

ROYAL ADMINISTRATION

What is the Avian Flu, and Do We Need to be Concerned?

Avian influenza is an infection caused by Avian flu viruses. These are flu viruses that occur naturally among birds. This flu is very contagious among birds and can make even domestic birds very sick and can kill them. Bird flu does not typically infect humans; but, worldwide, there have been 170 confirmed cases since 1997. Cases of bird flu that have affected humans have come from direct contact with infected poultry or surfaces contaminated by their secretions. Spread of the Avian flu from an ill person to another person has been reported only rarely, but it has not been observed to spread beyond one person. There is currently no evidence that you can contract the disease from eating properly cooked poultry or eggs.

For more information on the Avian flu, please refer to the Web sites listed below as information is updated regularly. As always, everyone is encouraged to be an informed medical consumer. Educate yourself; and if you have further questions, you can always consult with your personal health care provider.

- Centers for Disease Control: www.cdc.gov
- World Health Organization: www.who.int/en/
- Department of Health and Human Services State of NH: www.dhhs.state.nh.us

Environmental Corner

Waste Determination, Looking Into Your Own Backyard (or Service Shop), and Checking Your Vendors

Dan Bennett
NHADA Environmental Specialist

NHADA recently received a heads-up on an issue from our good friends at the New Hampshire Department of Environmental Services (NHDES) and their Waste Management Division (WMD). The issue that they wanted to pass on to our membership was that of ensuring that all wastes from a facility, and handled by a vendor, are properly characterized.

According to our Hazardous Waste Rules, Env-Wm 502, it is the responsibility of each generator, or producer, of waste to determine whether or not their waste is hazardous.

Each facility should assess their processes and, through either an informed knowledge of process or laboratory testing, make a determination as to whether or not the wastes that they produce are, in fact, considered a hazardous waste or a solid waste.

A great number of times we rely on our vendors for assistance with our waste determinations. Unfortunately, it is not their responsibility to ensure that the determination is done accurately; it is yours. At times it may also be to the vendor's advantage if the waste is, in fact, improperly profiled as hazardous when it should not be.

Do not get me wrong here with the intent and purpose of this article. It is by no means meant to beat up on vendors. Vendors, a few of whom are NHADA members and deserve our support, provide us an invaluable service; and our day-to-day operations would be impossible without their assistance.

The aim of this article is to inform you and give you the tools to ask the important questions of your facility and your vendors when it comes to the incredibly burdensome, dangerous, and costly issue of hazardous waste.

One of the keys to the hazardous waste operations at your facility is the manifest. These eight-copy green and white forms list the hazardous waste that is shipped out of your facility and will be attributed to your operations. It is imperative that these manifests are reviewed for accuracy each time they are signed and a waste leaves the facility. So check them – twice, if necessary – and ask questions about what is on there. Remember, ultimately, it is the facility, not the hauler or vendor, that is responsible. It is also a requirement that whoever signs the document (on line 16), and agrees to the Generators Certification, is up-to-date and has been compliantly DOT Haz-Mat trained and certified.

One of the key questions to ask is, why is this a hazardous waste, and what chemical or processes made it that way? Here are a few other questions to ask:

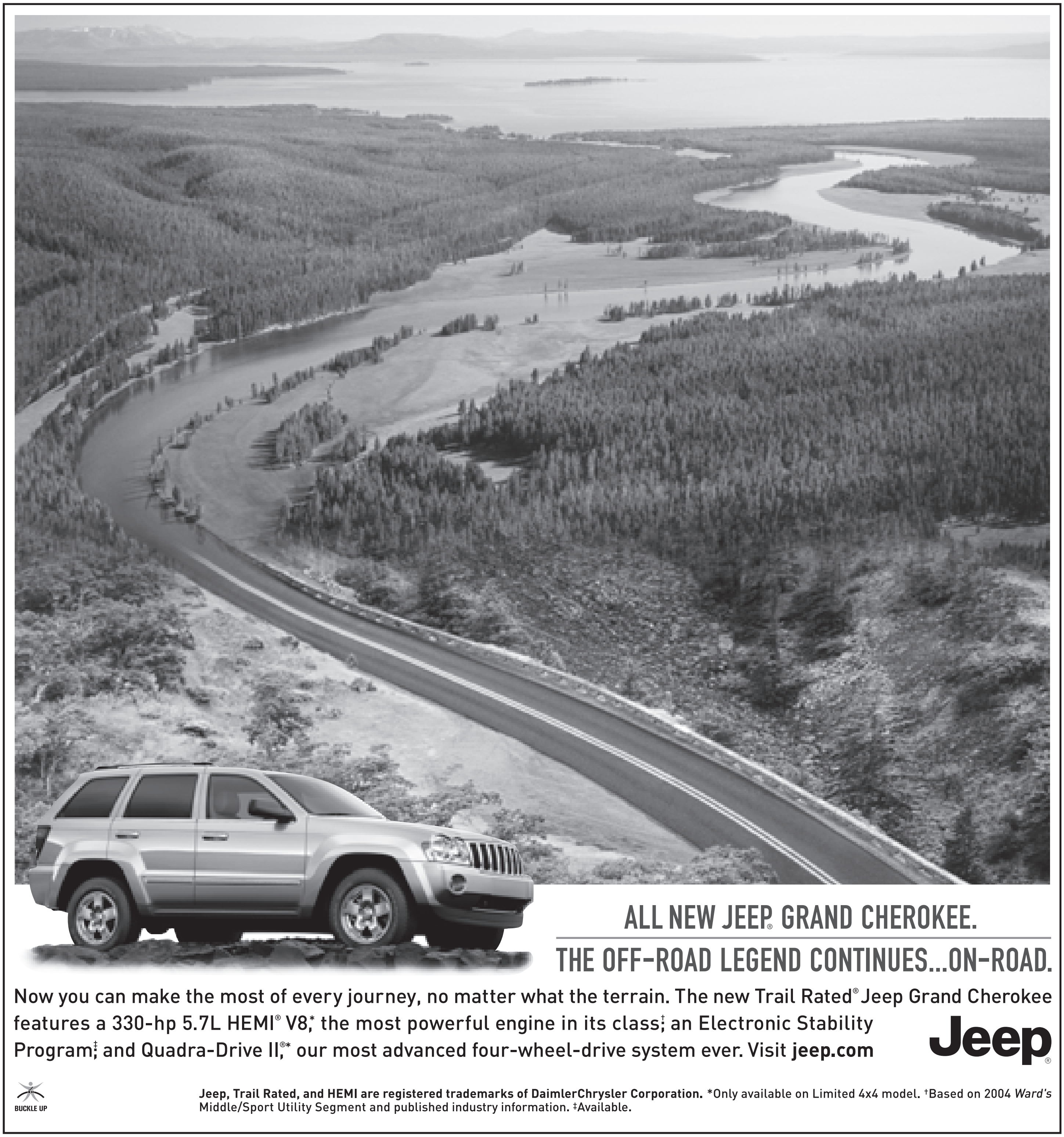
- Did the substance enter the shop being considered hazardous?
- What chemical is making the substance to be considered hazardous?
- Did a hazardous chemical enter the substance while in our shop, and do we have that chemical in our shop?

As we all know, unfortunately, some better than others, when it comes to hazardous waste, it is a costly and serious business. It should not be taken lightly. It takes and deserves our attention to ensure that we all do the right thing, operate compliantly, and provide the maximum amount of environmental protection as possible.

I would encourage you to forward this article on to other facility staff that may be responsible for hazardous waste activities. (You may easily forward a digital copy of this article by going to www.nhada.com, clicking on *Dateline: NH*, April 2006 *Dateline: NH*, choosing this article from the Table of Contents, and clicking on "E-mail A Friend!" located at the top right of the article and entering the individual's e-mail address.)

If you have any questions regarding your vendors, your facility's practices and their applicable rules and requirements, or any other environmental-related issues, feel free to contact me at 800-852-3372 or by e-mail at dbennett@nhada.com.

NHADA Annual Meeting and Golf Tournament – May 15
(see page 16)


ALL NEW JEEP® GRAND CHEROKEE.
THE OFF-ROAD LEGEND CONTINUES...ON-ROAD.
Now you can make the most of every journey, no matter what the terrain. The new Trail Rated® Jeep Grand Cherokee features a 330-hp 5.7L HEMI® V8,* the most powerful engine in its class,† an Electronic Stability Program,‡ and Quadra-Drive II,‡* our most advanced four-wheel-drive system ever. Visit **jeep.com**
Jeep®
BUCKLE UP
Jeep, Trail Rated, and HEMI are registered trademarks of DaimlerChrysler Corporation. *Only available on Limited 4x4 model. †Based on 2004 *Ward's* Middle/Sport Utility Segment and published industry information. ‡Available.

Attention: Dealers/Owners/Key Managers

Ross Gittell

NHADA Annual Meeting and Golf Tournament

May 15, 2006 • Manchester Country Club

– Choose Your Schedule for the Day –

Annual Meeting Only (half day)

OR

Annual Meeting and Golf Tournament (full day)

Walter Bond

Ross Gittell is a Professor and author of two books and over 50 publications in academic and business journals. His presentation, "The New Hampshire Economic Outlook: Opportunities and Challenges Looking Forward," will review the economic forecast for New Hampshire and New England. He will include in his presentation commentary and an outlook for auto dealers in the state and region. You won't want to miss this insightful presentation!

Walter Bond is a former professional basketball player and current businessman. He is an inspirationally humorous speaker that takes the life lessons he has learned and incorporates them into professional philosophies. Key is his belief that "No One Can Stop You, But You!" You will thoroughly enjoy Walter's energy as he moves you from the "comfort zone" of mediocrity to the "success zone" of peak performance!

Half-Day Annual Meeting Session includes:

- Continental breakfast and lunch
- Two fantastic speakers:

  Business Speaker: **Ross Gittell**, James R. Carter Professor at UNH's Whittimore School of Business and Economics

  Luncheon Speaker: **Walter Bond**, former NBA player
- Annual Meeting Reports
- Special Awards and Recognition

Distribution of Workers' Compensation Trust Rebate Checks

Full-Day Annual Meeting Session AND the Golf Tournament includes:

- Annual Meeting *(as described above)*
- "Bramble" Golf Tournament
- Dinner/Reception/Prizes

Check your mail for registration materials. If you have questions, contact Louanne Theriault at 800-852-3372.

Wiggin & Nourie, P.A.

~ Gold ~

Bumper to Bumper Legal Services

Franchise Issues.

Dealer/Manufacturer Relations.

The Motor Vehicle Industry Board.

Commission and Incentive Pay.

Dealer Acquisition and Transfer.

And more. Where do you turn?

Greg Holmes. 603.629.4524

Wiggin & Nourie, P.A.

Greg Holmes, Esq.

WIGGIN & NOURIE, P.A.

Counsellors at Law

Safety/OBD II Inspections Statistics

Safety Inspection Results	Feb 06	% of Total	YTD 06	% of Total
Total *	89,118	100.00%	179,734	100.00%
Passed	70,261	78.80%	141,395	78.70%
Corrected	15,153	17.00%	30,776	17.10%
Rejected	3,699	4.20%	7,553	4.20%
Untested	5	0.00%	10	0.00%
OBD II Inspection Results *(1996 and newer)*				
Total	71,501	100.00%	143,558	100.00%
Passed	59,559	83.30%	117,160	81.60%
Rejected	10,245	14.30%	23,036	16.00%
Untested	1,697	2.40%	3,362	2.30%

* Total numbers include OBD II Inspections

Statistics provided by Gordon-Darby

Rising Interest Rates Negatively Affect Dealership Profits

Downey & Company, LLP

The prime rate has increased from approximately 5.25 percent in December, 2004, to currently 7.5 percent. Our dealer clients have shown increases between $50,000 to $250,000 in interest expense for 2005. This increase in interest expense, coupled with slower sales and declining gross profits, have made 2005 a difficult financial year. For 2006, the rates are starting at 7.5 percent and may rise during the year. Since 70 percent to 75 percent of dealership assets are floorplanned inventories with interest expenses, dealers should be concerned. Any dealership that is currently experiencing cash flow problems should begin to reduce all of its inventories to improve cash position and reduce interest charges.

Downey & Company, LLP recommends that dealers implement the following steps to control the dealership's inventory:

1. The dealership should not own more than a 60-day supply of inventory. For example, selling 50 new vehicles per month means that 100 new vehicles are kept in inventory.

2. On a weekly basis, work with the sales force to move out older vehicles.

3. Review any new vehicles over 60 days old and any used vehicles over 30 days old. Used vehicles should turn over more quickly than new vehicles.

4. Schedule weekly sales staff meetings to identify the older vehicles and develop a strategy to sell them.

5. A week later, decide if the strategy worked or needs adjustments.

6. Move all older vehicles to the front of the facility and, in some cases, into the showroom where prospective buyers can see them.

Monitoring inventory levels will be a significant factor in turning a profit in 2006. A 60-day supply of fresh inventory equals lower interest costs and higher profits.

Manheim's American Auto Auction

~ Silver ~

American Auto Auction is a full-service wholesale auction located in the southeastern Massachusetts town of North Dighton, convenient to both the Boston and Providence markets. In addition to the12-lane auction on Tuesdays and 4-lane auction on Thursday nights, American offers a full range of services, including transportation, financing, body shop, and detail shop. American also offers the latest technology to its dealers, keeping them on the cutting edge of today's fast-changing industry. For more information, please contact Tim Hoegler at 508-977-4600.

manheim American auto auction
123 Williams Street, P.O. Box 1
North Dighton, Massachusetts 02764-0001

Dealers Make a Difference

From Your NADA Director

Jack Tulley

Dealerships are a vital part of the U.S. economy. We provide some one million jobs and sell $700 billion in vehicles and services each year – more than 20 percent of U.S. retail sales. Because dealers are such a huge business force, we have big responsibilities – to our customers, to our communities, and to our fellow dealers.

Dealers are working with NADA right now to protect consumers and other dealers from buying flood-damaged vehicles. David Regan, NADA Vice President of Legislative Affairs, recently testified on this issue before a U.S. House of Representatives subcommittee. He called on insurance companies and state titling agencies to provide consumers access to VIN-based data before they buy used cars.

"Armed with total-loss data and a better understanding of vehicle histories, both consumers and dealers will be able to steer clear of rebuilt wrecks and stolen vehicles," said Regan. "For too long fraudulent resellers have relied upon a confusing 51-state titling regime to market rebuilt or stolen vehicles with clean titles. Consumers need to know before they buy a car whether it has been totaled; the technology exists today to make this happen."

Regan said that Congress already has granted the Department of Justice the authority to make insurance companies disclose total-loss data and salvage auction data, and Congress should press the agency to act because "an accurate and publicly accessible total-loss database would curb fraudulent activity dramatically."

In his remarks, Regan called for:

Greater transparency: "Insurance companies should provide VIN-based disclosure of all totaled vehicles," he said. Also, "all states should carry forward prior brands when issuing new titles. States should brand registrations as well as titles."

More timeliness: "The insurance companies should disclose total-loss data at the time the total-loss payout occurs," he said. "Also, state DMVs should work with the private sector to push title data into the public domain faster."

Better use of technology: "DMVs should make title data commercially available on a daily basis to the information industry, [which] has the technology to dramatically enhance public disclosure of insurance company information about total-loss vehicles and salvage auction sales data."

Regan said the combination of electronic access to total-loss data and faster access to DMV data will help consumers and dealers fight motor vehicle fraud.

How else can dealers make a difference?

- There are more than 104,800 career opportunities available at dealerships across the country right now. It's imperative that we promote these job openings in our communities. One way to do this is to host an open house for local students and their parents and teachers during Automotive Career Month this October. Last year, more than 700 dealerships in 44 states held career events. This year, let's double the number of participating dealers.

- NADA is working to help dealers by pushing for permanent repeal of the federal estate tax. A planned congressional vote on the issue was postponed after Hurricane Katrina, but NADA's legislative office is working hard to get it back on the agenda. Senate Majority Leader Bill Frist (R-Tenn.) said he will call for a vote before Memorial Day on permanent repeal. "The death tax was unfair before Katrina, and it's still unfair," said Regan. "It's a prime example of double taxation, and it should be eliminated."

- For the benefit of all dealers, stay involved with NADA. Complete the NADA Dealer Attitude Survey every summer and winter. It's one of the best ways to ensure automakers hear our voices. NADA also meets regularly with every automaker to discuss dealer concerns. As the domestic makers restructure and some international manufacturers struggle, it's essential that automakers realize how important all dealers are to the industry's success.

As always, feel free to contact me with any questions or comments at 888-0550 or at jack@tulley.com.

Another Benefits Renewal Comes to an End at NHADA

Susan Manning

The new small group reform law became effective the beginning of 2006. Knowing that the first year would be one of transition, NHADA was not able to predict how our groups would be affected by the new legislation for our 2006 benefits renewal.

Groups with fewer than 50 eligible employees who were previously rated, including negative claims experience and geographic areas in which services were more costly, experienced significant decreases in premium from 2005 to 2006. However, those groups who had been healthy and/or located in lower-cost-usage areas may have seen hefty increases because of loss of the discounts given them at renewal in 2005.

The largest factors designating differences between group ratings for small groups now are the average age of the employees and the coverage choices. **Individual group claims experience and geographic location no longer are part of the rating formula for groups with fewer than 50 eligible employees.**

In theory, this new law should stabilize the renewal premiums for the future. In the past, the effect of claims experience alone could sway small group renewal rates drastically because the amount of premium paid to the carrier to offset the claims was so much smaller than the amount of premium dollars paid by large groups. This new law addresses that problem by completely removing claims experience from the equation for the small group.

NHADA's small group population weathered the transition and, with only a handful of exceptions, remained insured through the Association. Our premium rates have remained competitive in both the small and large group markets, and enrollment of new business has been brisk. Several of those companies who left the Association at renewal in 2005 have returned to the fold, and we are pleased to have them back.

NHADA has expanded its medical plan offerings to include the Anthem HMO New England products and a Health Savings Account. For groups with a minimum of 25 insureds, three medical plans may be installed at enrollment in order to offer more benefit and premium choices to the employees.

Renewal - Continued on page 23

(The following was sent to all members via e-mail or fax on Friday, March 10. We thought it was worth repeating. Please be sure to read the NHADA "Quick Tips" when they arrive in your e-mail or on your fax as they contain good information! NHADA "Quick Tips" are also accessible on our Web site at www.nhada.com under NHADA on the Site Map.)

Title Tip

The New Hampshire Title Bureau has THOUSANDS of titles that have various problems and are put in the "suspense" file. There are also rare occasions, which are totally illegal, where the selling dealer fails to submit the title to the Title Bureau. There have been a number of cases where financial institutions collect monthly motor vehicle installments from customers, and the financial institution does not have the title! Lo and behold, when the dealer makes the payoff on that vehicle, the financial institution does not have the title, and the dealer is stuck with a vehicle that cannot be sold.

Save yourself a headache and institute a company policy … when your staff calls for information on a payoff, also ask for the title number.

Renewal - Continued from page 22

Please contact me at 800-852-3372 or at smanning@nhada.com for further information regarding the competitive pricing of our flexible, high-quality benefits programs.

DMV Visits NHADA

Commissioner Richard Flynn and Director Virginia Beecher of the New Hampshire Department of Safety, Division of Motor Vehicles, visited with the NHADA Board of Directors at their March Board meeting to discuss issues of mutual concern. (L-R) NHADA Chairman Rich Lovering of the Lovering dealerships in Concord, Meredith, and Nashua; Director Beecher; and Commissioner Flynn

2006 Association Partners

(as of 3-24-06)

PLATINUM

N.E. Dodge DAA
Universal Underwriters Group
WMUR-TV/New Hampshire

GOLD

Citizens Bank
Union Leader Corporation
Wiggin & Nourie, P.A.

SILVER

ADESA Boston
American Fidelity Assurance Company
Anthem Blue Cross and Blue Shield
Devine Millimet
Enterprise Rent-A-Car

SILVER (Cont.)

Laconia Savings Bank
Manheim's American Auto Auction
New England Chrysler-Jeep DAA
Northeast Delta Dental
O'Connor & Drew, P.C. &
OCD Consulting, LLC
Southern Auto Auction
St. Mary's Bank
Windward Petroleum/Exxon Mobil

BRONZE

ADP - Dealer Services
Aftermarket Specialists/Royal Admin.
AHC, Corp.
Albin, Randall & Bennett
Alltex Uniform Rental Service
Anthem Specialty
Armored Tire USA
Auto Auction of New England
@utoRevenue
AutoTrader.com
Bellwether Community Credit Union
BG Products/Warehouse Distributors of N.E.
Credit Union Direct Lending

BRONZE (Cont.)

Downey & Company, LLP, CPAs
F & I Resources
G W Marketing Services
GM and GMAC
HRH Northern New England
Jewett Construction Co., Inc.
JM&A Group
JobsInNH.com
Morgan Stanley (Alan Scalingi)
Nancy Phillips Associates, Inc.
New England Investment & Retirement Group
Protective
Rath, Young and Pignatelli, P.A.
Resources Management Insurance Agency
Robbins Auto Parts, Inc.
Sanel Auto Parts Co.
Seacoast Media Group
Sovereign Bank
TD Banknorth, N.A.
Tire Warehouse
Tyler, Simms & St. Sauveur, CPAs, P.C.

To become a Partner, please contact Louanne Theriault at 800-852-3372 or at ltheriault@nhada.com.

New Hampshire Department of Safety, Division of Motor Vehicles

Title Statistics Report Month Ending: 2/28/06

***Increased numbers due to backlog catch-up**

	February	06 YTD	05YTD
Titles Issued for New and Demo Vehicles:	7,420	27,586*	19,303
Titles Issued for Used Vehicles:	18,002	70,611	39,591
TOTAL TITLES ISSUED:	25,422	98,197	58,894
Titles Issued with a Lien:	10,132	37,375	25,221
Titles Issued with no Lien:	15,290	60,822	33,673
Salvage Titles Issued:	1,025	2,086	1,243
Salvage Tags Issued:	233	466	474
Titles Issued for Heavy Trucks More than 15 Years Old:	36	108	74
Titles Issued for Heavy Trucks 15 Years Old or Less:	134	507	387
Titles Issued for Trailers:	522	2,195	1,165
Titles Issued for Motorcycles:	621	1,911	842
Titles Issued for Motor Homes:	70	209	139