

April, 2005

Dateline: NH

a publication of the New Hampshire Automobile Dealers Association

Meet Your Partners (pages 6, 10, 16, 18, and 22)

Inside this Issue

Automotive Scholarships Available
page 3

Cong. Bass and the Auto Industry
page 4

Dealer Registration Rules
"Words and Phrases Defined"
page 4

Producer License Info
page 7

keep kids s.a.f.e News
pages 8 and 10

The Hiring Process
pages 12-13

Privacy Rule FAQs
page 13

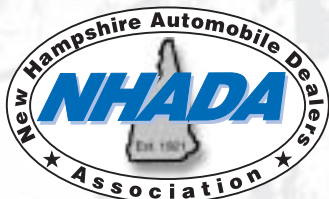
Family Dealership Succession
page 14

Health-Related Articles
pages 15 and 16

Notices Sent to Delinquent SQG's
pages 18 and 21

From Your NADA Director
pages 20-21

Compliance Corner
page 22



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"Crossover" Near

Daniel B. McLeod

The New Hampshire Legislature may be unique in its size and structure; but, frankly, we like it that way.

When a bill is introduced, proper notice of hearings and proper notice of Floor action is made. Roll call votes in both the House and the Senate are recorded, and all bills that are introduced must be acted on.

The official "Crossover" date is April 13. This is the date when all House bills passed by the House are passed over to the Senate, and all Senate bills passed by the Senate are passed over to the House.

When all House bills are out of the House and all Senate bills are out of the Senate, both bodies conduct hearings with the ultimate goal of reaching a vote, up or down, on the Senate or House Floor before the end of June.

Under various circumstances, both the House and the Senate can suspend their rules, which requires a two-thirds vote that would change the sequences of the above legislative process.

I have given you the above information to set the stage for where we are now on a key legislative issue – OBD II Emission Testing and Safety Inspections. NHADA's involvement in this issue has been to provide assistance and information and to attempt to avoid the potential for EPA sanctions on highway funds and/or

economic expansion. We have also been involved to provide information on how our members have reacted to, and will react to, this new On-Board Diagnostic Testing system. NHADA is absolutely convinced from many communications with our members that the Gordon-Darby hardware and software have been well thought out; are easy to navigate and use; and, as an added benefit, provide accurate and timely information for our current Safety Inspection program.

Now, back to the process. As of this writing, the Senate has passed SB 148, and the House Transportation Committee is about to exec on HB 513. Both of these bills address OBD II Safety Inspection but differ significantly. As a result of these differences, I fully anticipate there will be a Committee of Conference to settle the details.

While the legislative process is extremely unpredictable, I am going to go out on a limb. We will have OBD II Testing and electronic reporting of Safety Inspections in New Hampshire, but it will be at least 12 months before we will fail vehicles that don't pass OBD II.

It is my belief that the key components surrounding this issue are EPA compliance and, importantly, electronic reporting of Safety Inspections.

To stay current with legislative issues, see "State House News" on page 2. 📌

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State House News

Daniel B. McLeod



We are at that time in our Legislative Session that State House news, when it appears in *Dateline: NH*, is not news. For up-to-date information on NHADA's legislative agenda, your best choice is to go to www.nhada.com, click on NHADA, and then State House Reports.

NHADA Legislative Reception

In the meantime, we will be hosting our annual NHADA Legislative Reception on April 13 following the Session (approximately 3:00 p.m. – 7:00 p.m.). I encourage members to drop by NHADA and visit with our legislators. 📍

New Members

Seacoast Newspapers

111 Maplewood Avenue
Portsmouth, NH 03804
Contact: John Tabor

AutoTrader.com

Route 107
Brentwood, NH 03833
Contact: William Reed

A-TECH Automotive, LLC

116 Nashua Street
Milford, NH 03055
Owner: Mark C. Brown

Enfield Auto Sales LLC

224 US Rt. 4
Enfield, NH 03748
Owner: Louise Desrochers-Hawthorne

NHAEF Center for Automotive Education and Training

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

April 14	Paul Gillrie: Attacking Computer Expenses
May 10 & 11	Professional Selling in Today's Market (beginner/intermediate)
May 12	Selling Used Vehicles (intermediate/advanced)
May 18	Introductory Accounting for Auto Dealerships
May 19	New Hampshire Title Regulations
May 25 & 26	Body Shop Management
June 16	Advanced Accounting for Auto Dealerships
June 21	Youth Employment and DOL Regulations
June	Hazardous Materials Training

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

Thousands of Dollars in Scholarships Available to High School Students

Brendan Perry, NHAEF Executive Director

Since its inception, the primary mission of the New Hampshire Automotive Education Foundation (NHAEF) has been to create a steady pipeline of talented and bright young men and women into the automotive service field. Although this effort is accomplished through a number of means, perhaps the most significant impact is addressed in the Foundation's Scholarship Fund.

Over the past seven years, NHAEF has awarded tens of thousands of dollars to dozens of deserving individuals; and this year will be no exception.



With six weeks remaining before the May 6 cutoff date for application submittal, NHAEF is once again reminding members who have interested students either working, job shadowing, or co-oping at their businesses to apply immediately. Thanks to our new and improved Web site, www.nhada.com, applying is easier than ever. Students need simply go to the Home Page and click on the prominently displayed "Automotive Scholarship Opportunities" icon (see above right). The link will walk students through all the requirements and allow them to download the application.

Typical scholarship awards range from \$750 to \$1,500, depending on demand and student quality. NHAEF is happy to report that the interest to date has been high with more than 22 scholarship requests received.


For more information, members can log on to www.nhada.com or contact me at 800-852-3372 or at bperry@nhada.com.



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Congressman Bass and the Automotive Industry

Congressman Bass co-chairs the bipartisan House Auto Caucus.

The House Auto Caucus provides a forum for U.S. Representatives to exchange ideas and influence policy on issues affecting the U.S. automotive industry. The House Auto Caucus sponsors educational briefings for members and staff on issues such as trade, transportation, and advancements in technology.

Initiatives of the House Auto Caucus have included letters opposing an increase in the Corporate Average Fuel Economy standards, which would have discriminated against domestic auto manufacturers; calling on the Administration to press Japan to end manipulation of the yen; and introducing a House resolution calling on Korea to open its market to U.S. vehicle exports. The House Auto Caucus also coordinates with the Senate Auto Caucus on trade, regulatory, and safety issues of interest to the industry.

Words and Phrases Defined

Below are some definitions taken from the Dealer Registration Rules and RSA 259, Words and Phrases Defined, and are vitally important in determining the meaning of our motor vehicle dealer laws.

Chapter Saf-C 2000 Dealer Registration Rules

Part Saf-C 2001 Definitions

Saf-C 2001.07 "Demonstration purposes" means to permit a customer to operate a vehicle for the purposes of a test drive.

Saf-C 2001.10 "Full-time employee" means any employee of the dealer who works at least 35 hours per week, as demonstrated by payroll records.

Saf-C 2001.11 "Motor vehicle business" means "motor vehicle business" as defined by RSA 259:60-a.

259:60-a Motor Vehicle Business. – "Motor vehicle business" shall mean a business which is principally engaged in one or more of the following activities: buying, selling, or exchanging motor vehicles requiring registration for use upon a way, motor vehicle mechanical service, motor vehicle collision repair service, the reconditioning and restoration of motor vehicles, and the sale of motor vehicle parts. For the purposes of this definition, "principally engaged" means that the business derives at least 51 percent of its annual gross income from the motor vehicle business or, if there was no income in the prior year, 51 percent of the assets of the business are directly related to the motor vehicle business.

Saf-C 2001.13 "Personal use" means any operation of a motor vehicle with retail vehicle dealer plates for reasons not directly connected with the business.

Saf-C 2001.14 "Regular business hours" means business conducted at least 37 1/2 hours per week, between the hours of 6:00 am and 9:00 pm, holidays excepted.

Saf-C 2001.15 "Retail vehicle dealer" means "retail vehicle dealer" as defined by RSA 259:89-a.

259:89-a Retail Vehicle Dealer. – "Retail vehicle dealer" shall mean a person engaged in the motor vehicle business who sells motor vehicles to the general public, or demonstrates for sale vehicles on consignment to the general public. There shall be a rebuttable presumption that any person who sells or who acts as an agent of a seller for 5 or more vehicles at retail to the general public in a consecutive 12-month period is a retail vehicle dealer.

Saf-C 2001.17 "Saleable condition" means that the motor vehicle is maintained in good repair.

Saf-C 2001.19 "Transfer of ownership" means a change in ownership of a dealer's business in excess of 50 percent of the assets of the dealership.

Saf-C 2001.22 "Valid consignment agreement" means a written contract in which the dealer agrees to sell the vehicle for the registered owner. 📄



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Jonathan Lemoine



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Longevity of Vehicles Climbs

The median age of passenger cars grew to 8.9 years in 2004, which is an all-time high, according to R.L. Polk. For trucks, the average age fell to 6.6 years, due mainly to a record 9.8 million new trucks registered in 2004, reported Polk officials. Nearly 9.3 million of the 9.8 registered vehicles for that year were light trucks.

In 2004, passenger cars comprised 59 percent of the vehicles in operation, and light trucks accounted for 41 percent. Polk officials project that by 2009, the percentage of cars will decline to 54 percent, while light trucks will climb to 46 percent of vehicles in use.

Finally, 5.3 percent of vehicles were scrapped for the year, which is the lowest scrappage rate since 1993. For passenger cars, the scrappage rate was 4.8 percent, the lowest since 1948. Trucks also showed a decrease in the rate of scrappage, dropping to 6 percent from 7.7 percent in 2003. 📌

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Selling Credit Insurance

Brendan Perry

Recently, NHADA has fielded a number of phone calls from members inquiring about renewal notices and the necessity of obtaining a Producer License through the Department of Insurance. Under model language drafted by the National Association of Insurance Commissioners in 2001, New Hampshire passed a law that requires all businesses selling "limited line credit insurance" products, including credit life, credit disability, accident and health, and guaranteed automobile protection insurance, to apply for and obtain a Producer License.

Producer Licenses are issued directly to the business entity rather than to the individual. The applicant (business) must fill out a five-page application, which can be downloaded on-line at www.state.nh.us/insurance. Upon completion, applicants must submit their paperwork to the Insurance Department, along with a two-year

licensing fee of \$150, plus an initial fee of \$60. Members who are renewing their licenses are required to pay only the \$150 licensing fee.

Some NHADA members may remember that, under the old statute, an *individual or entity* selling or negotiating insurance, or receiving insurance commissions, required licensure. This meant that not only the individual selling the product had to be licensed, but also the dealership. Fortunately, to the best of our knowledge, because there were not problems and dealerships were not in the business to sell insurance, this law was never enforced.

Under the adoption of the current law, the Insurance Department assumes that insurance companies issue commission checks directly to the dealership rather than to the individual. Therefore, it is the dealership that must obtain a license. As for the individuals, they are exempt not only because they do not

receive any direct compensation from the product's carriers, but also their salaries may be derived from a number of other opportunities, including vehicle financing, consumer guaranty contracts, parts and accessories, or vehicle sales commissions.

NHADA members should keep in mind that, although licensing the business rather than the individual is far more advantageous, it does not come without possible consequences. Dealerships will need to pay close attention to the individual(s) selling credit insurance to assure no improprieties take place and, therefore, jeopardize the dealership's license. Also, dealers should always verify that the credit insurance carrier whose products they are selling is licensed to conduct business in the state.


For more information on this issue, please contact me at 800-852-3372 or at bperry@nhada.com.

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NHADA thanks The Telegraph Newspaper, a Bronze Association Partner, for the opportunity to submit the following Press Release, which appeared in the "Auto, Real Estate & Employment" Progress 2005 Advertising Supplement to The Telegraph on Friday, March 11.

Auto Dealers – A Driving Force to Child Safety

Bow—According to a national study, “The average victim of abduction and murder is an approximately 11-year-old girl, who is described as a ‘low risk,’ ‘normal’ kid from a middle-class neighborhood with a stable family relationship who has initial contact with an abductor within a quarter mile of her home.”

Children face very real dangers of abduction and abuse, and parents consider child safety training a priority. However, often the messages taught are not the ones that are most effective. “Stranger Danger” is a popular warning. Yet, in the majority of cases, the perpetrator is someone known or familiar to the child. Also, the term “stranger” can be misleading, with young children often describing a stranger as “ugly” or “scary,” when, in fact, pedophiles frequently appear to be friendly and nice.

The good news is that there is an education resource available that provides children with proven safety skills. KIDS AND COMPANY: Together for Safety™, the personal safety curriculum of the National Center for Missing and Exploited Children (NCMEC), utilizes a comprehensive approach, teaching awareness, self-protective strategies, common-sense decision making, and emergency responses to children in grades kindergarten through eight. For instance, instead of teaching “Stranger Danger,” a better rule is to have your children check first with the adult in charge before going



Recently, NHADA President Dan McLeod and “keep kids s.a.f.e.” Administrator Jean Conlon visited the Amherst Street School in Nashua and discussed child safety with school personnel and students. The Nashua School District is a great proponent of child safety, and school personnel incorporate KIDS AND COMPANY™ lessons into their class curriculums. Guidance Counselor Dara Friedman and Felicia, a fourth-grade student, had just taught a child safety lesson to Mrs. Oden’s first-grade class, and Dan and Jean were privileged to review the lesson with the children. Pictured: NHADA President Dan McLeod (center) is surrounded by students proudly displaying their child safety lessons. Also pictured are: NHADA “keep kids s.a.f.e.” Administrator Jean Conlon (kneeling), and Amherst Street School Principal Janet Valeri, Guidance Counselor Dara Friedman, and Nashua School District’s Director of Guidance Elizabeth Korn.

anywhere, taking any gifts, or making any changes in plans.

For the past ten years, the New Hampshire Automobile Dealers Association has taken on the task of providing KIDS AND COMPANY™ to New Hampshire schools. Through the **keep kids s.a.f.e. (safety awareness for everyone)** program, we have given KIDS AND COMPANY™ to every public elementary and middle school and a majority of the private schools in New Hampshire.

Pam Weaver, Coordinator of Community Education for the NCMEC, New York Branch, applauds

these efforts. “Due to the New Hampshire Automobile Dealers Association’s extraordinary dedication to child safety through purchasing of our KIDS AND COMPANY™ abduction prevention curriculum for every school and their providing annual safety training for teachers, law enforcement, and community agencies, New Hampshire is the only state with such comprehensive prevention education for its students. This is an example of a wonderful collaborative effort and a terrific support of NCMEC’s mission of keeping children safe, one child at a time.”

Safety - Continued on page 10



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“Celebrate Winter” Legislative Ski Days

Jean Conlon

For the eighth year in a row, Ski NH designated the NHADA Charitable Foundation’s *keep kids s.a.f.e.* program as the beneficiary of proceeds totaling over \$17,000 from their annual “Celebrate Winter” Legislative Ski Days. This year’s event, held on March 6 and 7, was hosted by The Mount Washington Resort and Bretton Woods Ski Area.

There was something to do for everyone. Activities included alpine skiing, snowboarding, cross country skiing, snowshoeing, and a ride up the Cog Railway, with many participants skiing back down! On Sunday evening, attendees enjoyed a cocktail reception and dinner at The Mount Washington. On Monday, the event culminated with the Annual Legislative Ski Race, followed by an Awards Reception at the Ski Lodge. A variety of awards and prizes were given, and everyone went home a winner, just by being a part of this event.

We are extremely grateful to Ski NH for their continued generosity to the *keep kids s.a.f.e.* program. Special thanks go to The Mount Washington and Bretton Woods Ski Area for their hospitality and, especially, to the 2005 Association Partners (listed on back page) for their continued support. 📞

Safety - Continued from page 8

The goal of the Auto Dealers is to ensure KIDS AND COMPANY’s continued usage by students through annual teacher training. On April 5, 6, and 7, Ms. Weaver will be the guest of the New Hampshire Automobile Dealers Association, teaching three one-day professional development sessions to teachers, administrators, guidance counselors, nurses, law enforcement personnel, and others who will utilize the training to help keep kids safe. This tenth annual training at the NH Auto Dealers Headquarters in Bow is offered at no charge.

People sometimes ask why auto dealers are so interested in child safety. The reason is simple. The more than 600 member companies of the NH Auto Dealers Association employ over 12,000 employees. Many of these business owners and employees are parents or grandparents. They are integrally involved in their communities, and their ten years of support for the *keep kids s.a.f.e.* program confirms their dedication to child safety in their home towns.

For additional information regarding the upcoming child safety training by the National Center for Missing and Exploited Children, please contact Program Administrator Jean Conlon at 800-852-3372 or at jconlon@nhada.com. 📞



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Employment and Labor Law “Check List”

The Hiring Process

This article addresses the many facets of the hiring process. Once an offer of a job has been made, an employer can make certain post-offer inquiries that were not permissible during the application and interview phase.

• **The Job Offer Letter**

Many employers use some type of offer letter to communicate an offer of employment to a successful applicant. The offer letters are often used as the vehicle for providing the information required by the Department of Labor regulations in writing at the time of hire (rate of pay/salary, frequency of pay, and day and place of payment). It is important when offering a job to applicants in writing to insure that the letter does not create an employment contract by promising continued employment for a specific period of time and/or promising continuation of benefits, unless that is the employer's intention. For example, employers should describe the employee's rate of pay in terms of an hourly rate or weekly salary rather than an annual rate so as not to imply that the employee will be employed for at least one year. It is very important to construct the language of the letter carefully so as to avoid liability for damages in the event the employment relationship is terminated. We also recommend including language in the offer letter that the employee will be considered an employee at will, unless the employer intends otherwise.

• **The Second Injury Fund**

The New Hampshire Legislature has enacted a statute that includes

incentives for employers to hire and retain injured workers. A special “Second Injury” Fund is available to employers and insurers who compensate employees with preexisting injuries worsened or exacerbated by occupationally related second injury or illness. Access to the Fund requires an employer to have knowledge of the employee's disability at the time of hire. (See N.H.R.S.A. 281-A:55.)

In New Hampshire, once an employer or insurer has paid an employee benefits totaling \$10,000, additional payments are reimbursable from the Fund at a rate of 50 percent through the 104th week of payments. Beginning with the 105th week, all compensation benefits paid are reimbursable. In order to qualify for reimbursement, an employer must establish by written records or affidavit that it had knowledge of the employee's impairment at the time the employee was hired or retained. Additional incentives provide reimbursement for 50 percent of the cost of job modification for the purpose of retaining an injured worker. Such reimbursements from the Second Injury Fund may not exceed \$5,000 per employer per year. This job modification reimbursement is also available for costs incurred in reinstatement of an employee pursuant to N.H.R.S.A. 281-A:25 (Vocational Rehabilitation).

• **Post-Offer Inquiries**

Once the employer has extended a conditional offer for employment, the employer may then require that the applicant submit to a medical examination and/or answer a medical

questionnaire. However, medical examinations and/or questions must be imposed for all applicants in the job category. Medical information gathered must be kept separate from the personnel file.

Employers may also inquire into an applicant's medical history in order to establish a written record of preexisting conditions in order to qualify for reimbursement from the Second Injury Fund in the event of a subsequent injury (see above).

Employers may also inquire as to prior sick leave usage and general physical and mental health. Disability-related questions and medical examinations at the post-offer stage do not have to be related to the job. However, an applicant may not be rejected for employment based on information revealed in answers to medical questions or medical examinations unless the individual is excluded for reasons that are job-related and consistent with business necessity.

After an applicant becomes an employee, an employer may make and keep records on the age, sex, race, color, marital status, religion, and national origin of an employee so long as it is for a non-discriminatory reason. For example, it is permissible to inquire about age, marital status, and dependents for purposes of administering benefits. This information must be kept separate from the personnel file. The employer's ability to ask medical questions is restricted once the applicant becomes an employee, as the employer may ask only those

Check List - Continued on page 13

The FTC's Privacy Rule and Auto Dealers: Frequently Asked Questions

Q. Do I need to give a privacy notice to everyone who walks into my showroom?

A. You don't need to give a privacy notice to someone who simply expresses an interest in buying a car from you or asks general questions about financing or leasing. However, if a person gives you personal information in connection with a potential transaction, even without completing a formal application – for example, if they give you personal information to get a quote on a financial package – you may have other obligations.

Q. When someone agrees to finance the purchase of a car with my dealership, they sign a retail installment contract. I immediately assign the contract to a third-party lender. Do I have to give a privacy notice to the purchaser?

A. Yes. When a dealer enters into a retail installment contract with a person to finance the purchase of a car, the dealer is the creditor on the contract and is contractually bound by its terms. Because the dealer has extended credit, it has established its own customer relationship with the person when the contract is signed. Therefore, under the Privacy Rule, you must give a privacy notice no later than when the borrower signs the contract, even if you intend to assign the contract to a third-party lender. See 16 C.F.R. § 313.4(a)(1) for more information. Once the contract is assigned to a third-party lender, you no longer have a customer relationship with the individual borrower; and you are no longer responsible for providing annual privacy notices to this person. However, you are still bound by the terms of the initial privacy policy you gave the person; and you must continue to honor any opt-out requests you have received.

For more Frequently Asked Questions on the FTC's Privacy Rule and Auto Dealers, go to www.nhada.com, click on NHADA, FAQs, and then The Privacy Rule and Auto Dealers: FAQs. 📌

Check List - Continued from page 12

medical questions that are job-related and consistent with business necessity. For example, if an employee suffers a work-related injury, the employer may ask questions about the injury and the employee's medical status as part of administering the Workers' Compensation claim. Likewise, if an employee requests a reasonable accommodation for a disability, the employer may request medical information to determine whether the employee is qualified under the Americans With Disabilities Act for an accommodation.

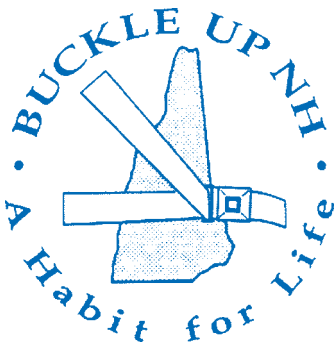
There are various federal and state laws that regulate hiring practices and decisions. In order to decrease potential liability, employers should be sure that their hiring process conforms to the applicable laws. 📌

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

- Today's vehicles are virtually emission free – 99% cleaner than models 30 years ago.
- In 2000, the auto industry invested \$18.4 billion in R & D – more than any other industry.
- Pure, clean water is the only byproduct of hydrogen, the energy source that could one day power your car.
- Automakers are developing advanced technology vehicles powered by fuel cells, electronic hybrid systems, clean diesel, liquid hydrogen, and other alternative fuels to make new cars and light trucks cleaner than ever before.
- Automakers remain committed to the latest innovative vehicle technologies.

(Statistics provided by Auto Alliance)

Promote Buckle Up NH Week



May 21 – 29, 2005

See enclosed insert for a list of resources for increasing seat belt use.

The Succession of a Family Dealership

Owners of dealerships work diligently during their lifetimes to build up their businesses. These dealers often disregard the issue of succession of their businesses to their heirs. The issue of succession must be addressed during the owner's lifetime to provide for a smooth transition of the business to his/her heirs. Some families do prepare and plan for succession of their businesses, but many never address the problem. Even some of the largest family businesses have had problems with estate taxes upon the death of family members. The powerful Wrigley

family was forced to sell their baseball team (Chicago Cubs) to pay estate taxes when a family member died.

There are about 12 million family businesses in this country today; but only one out of three will survive into the second generation, and one out of seven into the third generation. The reason: poor planning for succession.

Most people enjoy running their family dealership and assume one or more of their children will decide to go onto their business. The question then becomes, "How do you pass it on to them?" The following are three common methods:

- **Gift your stock to the next generation.** This can be done by first getting a valuation of the worth of your dealership, and then start gifting your stock over a period of time.
- **Stock redemption or a buy-sell agreement.** This allows management to buy out shareholders who have no interest in the company.
- **Creating two classes of stock.** The active family members get 100 percent of the voting stock, while the inactive members receive non-voting stock. Holders of non-voting stock retain an interest in the company without control over management policy.

These are just a few of the estate-planning methods available to you and your family. The key to successfully passing on your business is to start to plan now by getting the proper assistance from your financial professionals. With their help, you can come up with the best plan to pass on your business to your family. It is so easy to delay this process. If you do so, the results may be what happens so often today – the business you worked so hard to build up must be sold to satisfy your estate taxes. 📌

(This article was provided by Downey & Company, LLP, 800-849-6022.)

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GETTING GEAR



Both NHAD Services, Inc. – Insurance Division and AnthemRewards.com want to encourage physical fitness. NHADA members with medical insurance through NHAD Services have been sent materials to promote fitness and to reward those who participate in wellness challenges. Please encourage all of your employees to participate and participate yourself!

The following excerpt from the Fitness and Nutrition article “Getting Started” by Kara Platoni on the AnthemRewards.com Web site gives a good review of why we should exercise.

“No matter what your body type or fitness level, thirty minutes a day of moderate exercise will make a big difference in how you feel and how you look. Working out makes all of your muscles stronger, including your heart. So it should come as no surprise that regular exercise is the best way to prevent cardiovascular disease, the number-one cause of death among Americans.

Studies have also proven that regular workouts pay these benefits:

- help prevent osteoporosis and high blood pressure
- lower the risk of diabetes and some cancers

- relieve stress, depression, and some symptoms of PMS
- increase your metabolism (the rate at which your body burns calories), helping control your weight
- reduce some of the effects of aging (such as waning energy) and prolongs life

Best of all, when you exercise, you’ll feel healthier, stronger, and more comfortable with your body. It can even help you get a good night’s sleep.”

The best type of exercise is the one you’ll do. Choose an activity you like, or pick several so you don’t get bored. When starting out, focus on gentle, low-intensity activities such as walking, swimming, or cycling.

If you have any questions, please contact Jean Conlon at 800-852-3372 or at jconlon@nhada.com.


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Sean Hood, Branch Manager
John Whiting, Surety Bond Account Executive

Anthem Web Site Offers Many Benefits

Susan Manning, Employee Programs Coordinator

Medical insurance premiums being what they are, it makes sense to use every tool in your kit bag that is provided by that insurance company as part of being insured with them. Use of those tools helps you to squeeze every cent of usage of that premium dollar. That is why we often speak of and recommend reviewing the “Special Offers at Anthem” booklet and taking advantage of each of those offerings that specifically aids you in your quest for a healthy lifestyle. “Special Offers at Anthem” is also available on Anthem’s Web site, www.anthem.com.

The Anthem Web site is a tool that many employees do not use to their best advantage. Accessing www.anthem.com is a way to not only help them stay healthy, but also is an avenue to inform themselves regarding such areas as referrals and claims, ordering extra ID cards, and reviewing their medications on-line to determine whether they are brand name or generic and if they are covered drugs.

My Health at Anthem is an on-line library of health information on a wealth of topics, accessed through the Anthem Web site. If an employee wishes to learn more about diabetes, for instance, this Web site is a good place to begin the research process. There are also “cool tools” such as health assessments, quizzes, and calculators.

Anthem Rewards is another program that employees may access on-line to register for logging points and earning



Meet Your Partners

“Anthem Blue Cross and Blue Shield” – Silver



Dennis Cahill



Meet Dennis Cahill, Director of Sales at Anthem Blue Cross and Blue Shield, an NHADA-endorsed company. Through a full-product portfolio, Anthem Blue Cross and Blue Shield serves nearly 600,000 members throughout the Granite State. With a commitment to quality and health improvement, the National Committee for Quality Assurance (NCQA) has awarded Anthem Health Plans of NH “Excellent” accreditation for service and clinical quality for its managed care products. Feel free to contact Dennis at 695-7813 or at dennis.cahill@anthem.com.

prizes by doing physical exercise. Whether they belong to gyms or just walk or bike, they are able to earn prizes just by logging in and keeping track of their activities.

My Anthem is a personalized area of the Web site that informs the employee of his/her personal claims history and referral process. Using this tool, an insured is not only able to see in what stage a claim has arrived, but also the “real” cost of the procedure. This is an eye-opening and educational experience for an employee who may pay a small co-pay and doesn’t realize the actual cost of the service involved.

NHADA urges those members currently insured through Anthem to access www.anthem.com and enter the New Hampshire state site to learn more about the programs described in this article. We suggest that you and your employees obtain the most benefit for the premium dollar paid.

Honda Vehicles Certified for Clean-Fuel Vehicle Deduction

The Internal Revenue Service has certified the MY 2005 Honda Insight, the Honda Civic Hybrid, and the Honda Accord Hybrid as eligible for the clean-fuel vehicle deduction. Taxpayers who purchase one of these hybrid vehicles new may claim a tax deduction of up to \$2,000 on Form 1040.

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“Northeast Delta Dental” – Silver



Don Boyd



Most NHADA members will recognize longtime supporter Don Boyd, Division Sales Manager at Northeast Delta Dental. An NHADA-endorsed company, 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 ExcellenceSM program, guaranteeing seven service areas with a group refund policy. Don may be reached at 223-1346 or at dboyd@nedelta.com.

ATTENTION: Hillsborough and Cheshire County Facilities

Second Notices Sent to Delinquent SQG's of Hazardous Waste

Dan Bennett, NHADA Environmental Specialist

If your facility is located in Hillsborough County or Cheshire County and you are registered as a Small Quantity Generator (SQG) of hazardous waste with the New Hampshire Department of Environmental Services (NHDES), your facility's self-certification form was due to the NHDES by January 1 of this year.

Does this sound familiar? (See *Dateline: NH* September 2004 and November 2004.) In 2003, the New Hampshire Legislature amended its hazardous waste laws and created the Small Quantity Generator Self-Certification Program. A Small Quantity Generator (SQG) of hazardous waste is one who creates no more than 220 pounds (about 26 gallons) of hazardous waste in a month. Roughly one third of the hazardous waste sites in New Hampshire are attributed to releases from SQG's.

With 5,000 hazardous waste generators in the state, the NHDES realized that their ability to inspect and review them all to protect the environment was not going to cut it. What they asked for and got as a result of this rule is a program that requires generators to be self-policing, active environmental stewards aware of and complying with all applicable rules. The program requires each SQG to verify this to the State in a State-

SQG - Continued on page 21

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Did You Know ...

With spring on its way and the snow and icy mess starting to go away or turn into a muddy mess, a lot of spring cleaning occurs at member facilities. So does a lot of “Who put that there?” and “Where did that come from?” (mostly, when related to outdoor storage).

This time of year presents a good opportunity to participate in and undergo NHADA's free and confidential environmental compliance review. The review will help with storage issues as well as proper disposal and shop/equipment efficiency items. Contact Dan Bennett, NHADA's Environmental Specialist, at 800-852-3372 or at dbennett@nhada.com if you have questions or are interested. The review can also be requested and scheduled through the environmental section of www.nhada.com.

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From Your NADA Director



Jack Tulley



The weather's not all that's heating up at NADA; new programs are getting hotter, too. Along with the new models being introduced at auto shows and in showrooms around the nation, this spring will come in like a lion.

President Bush signed the NADA-supported Class Action bill after it passed the U.S. Senate and House recently. Dealers' grass-roots action helped ensure passage. The law's main provision redirects large class-action lawsuits – defined as those where potential damages exceed \$5 million and the plaintiffs are geographically dispersed – from state to federal courts. Bush favored the legislation to “help protect people who are wrongfully harmed while reducing the frivolous lawsuits that clog our courts, hurt the economy, cost jobs, and burden American businesses.”

NADA-24, dealers' new customer loyalty tool, is growing in popularity among dealers and is getting great coverage in the automotive media. Created by dealers, it's easy to use and, at about \$3.50 per completed call, cost effective. To join your fellow dealers who are enjoying nearly instant customer feedback, visit

www.nada.org and click on the NADA-24 logo.

NADA-24:

- Contacts your customers within 24 hours of a dealership visit;
- Gives you feedback within 48 hours or less – you can listen to actual customer calls;
- Can notify you of really unhappy customers immediately – while they're still on the phone!

Dealers now have the ability to check and revise their NADA membership information on-line. Are your records up-to-date? Visit www.nada.org and click on the Member Services tab, then **NADA Update** to view your dealership data and submit any changes directly to NADA. Most changes are completed in one business day.

The new season of **NADA seminars** has begun. Complete schedule and registration info are at www.nada.org/seminars.

When it comes to training, don't forget NADA's new workplace orientation program, **Picture Yourself Here: Contributing to a Positive Work Environment**. The package contains your choice of a VHS or DVD video and a helpful study guide.

These are the last few weeks to pre-register for the upcoming **American Truck Dealers Convention and Exposition** in Orlando, Florida, April 9–11, where Chairman Jerry Turnauer will tell you about the past year and plans for the future. Register at www.atd.org. Must-attend features include:

Getting Hotter

- **High-caliber speakers:** Dan Ustian, NAVISTAR Chairman, President and CEO; Capt. Larry Brudnicki, USCG, who saved lives and survived the “Perfect Storm”; acclaimed customer loyalty consultant Jill Griffin; Dr. Gayle Carson, an expert on significantly reducing customer complaints, improving productivity, and increasing interpersonal communication;
- **Candid make meetings** for 15 different truck manufacturers;
- **Seven informative workshop** topics covering key truck dealership management questions; and
- With **expanded exposition hours**, attendees will have more time to peruse the latest in products and services for truck dealers at more than nearly 100 hands-on displays.

Congratulations to: David Hyatt and David Regan, newly appointed Chief Operating Officers of Public Affairs and Legislative Affairs, respectively, and to Ivette Rivera, recently named Executive Director of Legislative Affairs. Best wishes to Chief Information Officer Don Gentry as he retires this month, and cheers to Dick Malaise who will move up to the CIO position.

Thanks to a winning essay and a **\$10,000 Goodyear Tire and Rubber scholarship**, Milford, New Hampshire, high school senior Alicia Kinkaid will be warmly welcomed at the NASCAR Technical Institute in Mooresville. The scholarship presenter was 2004 *Time Magazine* Quality

Dealer Award winner and NADA Past President Paul Holloway. "Her early passion for the automotive industry as a racing enthusiast will bring a fresh approach to all her future endeavors," he said.

Find out why Web assistance from the **Cobalt Group**, now in its sixth year of NADA endorsement, continues to be popular. Go to www.nada.org and click on Technology, then NADA-Endorsed Web-Site Packages.

Get your money's worth from the **2005 NADA Convention year-round**.

- Visit www.autoexecmag.com and click on each day for news, views, and video clips of Convention events and highlights.
- Go to www.nada.org/convention and click on Exposition, then Floor Plan to connect to exhibitor information.
- Order tapes of 2004 or 2005 General Sessions and workshops from www.PlaybackNow.com.

Heat up your sales, service, and parts operations by taking advantage of all your NADA benefits. And please stay in touch with me as your NADA director so I can represent *your* concerns, *your* ideas, and recognize *your* successes. Feel free to contact me at 888-0550 or at jack@tulley.com.

**2005 NHADA
Summer
Symposium
June 27-28**
(see enclosed insert)

SQG - Continued from page 18


issued self-certification form (to be redone every three years) and submit a fee of \$60 per year. For these two Counties, if the fee was applicable, \$240 was required to be submitted.

In Hillsborough and Cheshire Counties, there are roughly 1,275 SQG's. As of January 1, there were 500 non-responses from SQG's. Unfortunately, a handful of these are in the motor vehicle industry. NHADA, through its compliance partnership with the NHDES, has been made aware of the delinquent responders and is ready to help.

The NHDES recently mailed to all facilities who did not submit their forms a second notice requiring the information, and the facilities are considered delinquent responders.

The legislation (147-A:5) also has wording that authorizes the NHDES to assess a late penalty after 60 days that may total up to 10 percent per month of the fee that is late.

If your facility did not submit the forms by January 1, did and recently got them returned, or received your second notice, NHADA can help with making sense of the forms, the associated fee and its applicability, and compliant submittal. If you would like assistance with the form, have any questions regarding your facility's generator status, this rule and its requirements, verification of your facility's form submittal, or any other environmental-related issues, feel free to contact me at 800-852-3372 or by e-mail at dbennett@nhada.com.




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Compliance Corner

Beware of Safety/ Environmental Charlatans Claiming NHADA Endorsement

Brian Duplessis
NHADA WCT Loss Prevention Coordinator

It has come to the attention of NHADA WCT Loss Prevention staff that some telemarketing outfits are trying to sell safety and environmental compliance products, claiming to be endorsed by NHADA.

We caution our members that whenever they receive calls regarding safety and environmental products, services, or new regulations, to **call NHADA before committing to purchase anything.** Also, always be wary of companies claiming to be **endorsed** by NHADA. NHADA is very selective with the businesses we endorse. Currently, there are no safety and environmental companies, products, or services endorsed by NHADA.

Another claim to be wary of is OSHA and EPA approved or sanctioned. OSHA and EPA are, likewise, not in the business of endorsing products and services. They are strictly regulatory agencies charged with enforcing safety and environmental laws. They do not sell anything.

One last important consideration related to this issue is that NHADA has comprehensive and mature safety and environmental consultation programs. These programs are industry specific and are *provided to NHADA members for free.* We have



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“Southern Auto Auction” – Silver



Will Morris



Will Morris, Sales Manager of Southern Auto Auction, is well known to many New Hampshire dealers. Will states, “Southern Auto Auction is proud to offer the ‘Dealer 3000’s’ to our New Hampshire Partners. The ‘3000’s’ provide your dealership: Auction-coordinated transportation, reconditioning, and representation ... all hosted on www.auction2k.com.” Call Will toll free at 888-869-5269 or e-mail him at wmorris@saa.com for more information. 📌

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New Hampshire Department of Safety, Division of Motor Vehicles

Title Statistics Report Month Ending: 2/28/05

	February	05 YTD	04 YTD
Titles Issued for New and Demo Vehicles:	9,034	19,303	20,487
Titles Issued for Used Vehicles:	17,184	39,591	41,636
TOTAL TITLES ISSUED:	26,218	58,894	62,123
Titles Issued with a Lien:	11,227	25,221	26,189
Titles Issued with no Lien:	14,991	33,673	35,934
Salvage Titles Issued:	592	1,243	1,653
Salvage Tags Issued:	223	474	528
Titles Issued for Heavy Trucks More than 15 Years Old:	38	74	66
Titles Issued for Heavy Trucks 15 Years Old or Less:	211	387	299
Titles Issued for Trailers:	492	1,165	1,155
Titles Issued for Motorcycles:	368	842	820
Titles Issued for Motor Homes:	62	139	158