

NEWS BULLETIN

Maine Automobile Dealers Association

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2012-14

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DEALERSHIP LICENSING GROUP

Every few months, the Bureau of Motor Vehicles (BMV) hosts a meeting of a Dealership Licensing Group originally formed in 2011 to address some perceived inequities in the rules and regulations pertaining to new and used vehicle dealerships. MADA is a participant in these meetings. The focus of that Group has changed in 2012. The most recent meetings at BMV included discussions on the potential for a "wholesaler" license, the repair facility obligations of a used vehicle licensee, whether the laws regarding supplemental facility licenses (secondary, annex, attended and unattended sales promotions) should be changed, and problems associated with titles.

Virtually all of the potential changes being discussed would require legislation to be proposed, enacted and signed into law by the Governor - none of which can happen until the 2013 session of the Maine Legislature. As the meetings continue, the issues will continue to be clarified. MADA will discuss the status of these proposals in future bulletins and during our Fall regional meetings.

PROPERTY & CASUALTY INSURANCE SURVEY

As announced in our August 20 letter to dealer principals, MADA is embarking on a study of dealership property and casualty insurance, with two purposes requested by members and discussed in depth by your Board of Directors. The first objective is to compile premium and claims data, to be retained only in aggregate - not by individual dealerships, which data will be used to determine the feasibility of a group program. The second objective is to gather information about the types and levels of coverage which dealerships are currently purchasing. This information will be utilized to develop a comprehensive list of coverage guidelines which dealerships might review as they consider their individual insurance packages.

A number of dealerships have already provided their information. Your association can reach conclusions advantageous to the entire dealer body only if we receive a sizable number of dealership responses. Thank you for providing your information. As always, MADA appreciates your cooperation and participation as we strive to help you in every way possible.

MEMBERSHIP GOLF TOURNEY

MADA's 21ST annual membership golf tourney will be held next Thursday, September 6, at Martindale Country Club in Auburn. Current registrations put the playing field at over 140 golfers. This is a day of fun and camaraderie with your fellow dealers, guests, and a number of Associate members who help sponsor this event. If you would like to participate, and have not yet registered, please contact your MADA office.

BUREAU OF MOTOR VEHICLES AND NOTICES OF SALES

For some time, MADA and the management of the Maine Bureau of Motor Vehicles (BMV) have been discussing the mutual benefits of dealerships submitting information electronically. BMV has now started a program in which participating dealerships can report Notice of Sale and Temporary Plate information, currently known as the MVT-15, to the Dealer Section in an electronic format. BMV on August 20 sent all dealerships an email communication (copy attached) which outlined the program, and dealerships separately received an email containing the format for reporting Notice of Sale information. Several dealerships have already begun using this new system. If you would like to participate electronically, and eliminate the need to print, handle, and mail individual Notices of Sale, please contact Terry Phelps at the BMV Dealer Section (telephone 624-9000 ext. 52143, or via email Terry.Phelps@maine.gov).

MADA OFFICERS TO ATTEND NADA WASHINGTON CONFERENCE

In mid-September, the National Automobile Dealers Association hosts its annual Washington Conference, to which state association officers and staff are invited. The two-day event incorporates presentations and workshops on a variety of topics of current importance to dealerships, as well as visits on Capitol Hill with our state's Congressional delegation. Maine's NADA Director Charlie Gaunce of Central Maine Motors Auto Group in Waterville, Immediate Past MADA Chairman Win Dodge of the Bill Dodge Auto Group in Westbrook and Brunswick, and Tom Brown will be representing MADA. The primary topic in these Congressional visits will be tax issues (estate and corporate tax "reform") which potentially will be included in 2012 legislation to be voted prior to year-end. MADA will provide further information on this conference and our Congressional visitations in future bulletins as well as our Fall regional meetings.

PERSONNEL ISSUES AND FMLA OBLIGATIONS - OCTOBER WORKSHOPS

There is hardly a day which passes that your MADA office does not receive inquiries from dealership managers regarding personnel issues related to the hiring process, Family Medical Leave Act (FMLA) requirements, and appropriate termination procedures. To help all dealerships with these vexing issues, MADA has scheduled workshops in mid-October, as follows:

Bangor - Tuesday, October 16 - 2:00 p.m. - Bangor Motor Inn

South Portland - Wednesday, October 17 - 9:30 a.m. - DoubleTree Hotel

The agenda will include suggested employment application questions, procedures for background checks and references, potential for limited medical review of the prospective employee's physical capacity, written dealership personnel policies, compliance with Maine or Federal FMLA rights and obligations, and proper procedures for handling the employee's rights and dealership obligations in termination circumstances. This discussion will also include a brief review of employee benefit and workers compensation requirements.

Additional agenda information and registration material will be sent to everyone in late September. Please mark your calendar today.

FALL REGIONAL MEETINGS -- PRELIMINARY DATES SET

Currently, MADA regional meetings are set for November 7 in Portland, November 8 in Augusta, November 15 in Bangor, and November 16 in Presque Isle.



*Department of
the Secretary of State*

Bureau of Motor Vehicles

*Charles E. Summers, Jr.
Secretary of State*

*Thomas Arnold
Deputy Secretary of State*

*Garry Hinkley
Director of Vehicle Services*

August 20, 2012

Notices of Sale – email filing summary reports

Dear New or Used Car Dealer,

The Bureau of Motor Vehicles has revised its procedures relative to Notices of Sale (MVD-15's) to provide for an email filing option. Effective September 1, a dealership may submit their Notices of Sale information by emailing a spreadsheet, Word file, PDF, or delimited text file. If your dealership would like to submit Notices of Sale information by email, please notify the Dealer section by email at dealerandagent.bmv@maine.gov. The Dealer Section will provide an excel spreadsheet format with the required data elements. Please save and use this file format. Alternatively, you may create the same format in a Word document, PDF, or as a text file. If you choose the text file option, please make certain that the data fields are separated to facilitate searching. If your dealership has been providing scanned copies of the actual notices of sale, you may continue with that process, or switch to the summary report format.

This is optional, and continuing to send paper documents is acceptable. A dealership may start and stop the email process at any time, by giving notice to the Dealer Section. However, all MVD-15 information must be submitted in a single format at any given time.

If your dealership chooses to submit Notices of Sale information by email, please keep the white copies in your office for six months. After which you may destroy them. Please do not mail the notices to BMV.

If you choose the email option, at least one report must be submitted each week. You may submit as often as daily. As with the paper notices, the Dealer Section will use this information for determining bonding requirements, arbitration fees, and allowable dealer plates. In addition, searching the notices often is the only way to track down a temporary plate for law enforcement.

Please name your files with your dealer number and date e.g. D12345_yymmdd.

If you have any questions or suggestions, do not hesitate to contact the Dealer section by email or phone.

Sincerely,


Garry Hinkley, Dir.
Vehicle Services Div.