

NEWS BULLETIN

Maine Automobile Dealers Association

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DEALERSHIP LOANER/RENTAL FLEETS NEW FEDERAL LEGISLATION

Just two minutes of your time - literally - could provide NADA Legislative Affairs with the valuable data needed to work on your behalf. Senators Boxer (D-CA) and Schumer (D-NY) intend to press for "quick passage" of a bill during the upcoming lame duck session that would prohibit rental car companies from renting vehicles under open recall. Under the bill, any dealer that has a rental car fleet of five or more vehicles (including service loaners) would be regulated as a "rental car company", and would be subject to additional federal regulation under the bill.

The NADA survey asks a few brief questions about the size of your rental car fleets. This survey was sent via email to all dealerships by NADA on Friday evening, September 28. Your confidential responses are important so the Senate can be made aware of the impact of this bill on franchised new car dealers.

Participation is simple: Click the [survey link](#) if you have the NADA email, or use www.surveymonkey.com/s/6KQN75W to answer a few brief questions.

The **deadline for participation is Wednesday, October 3, at noon (ET)**. For questions, please call NADA Customer Service at 800-557-6232. Thank you for helping NADA help you.

ELECTRONIC FILING OF FORM 8300

The Financial Crimes Enforcement Network (FinCEN) recently announced that a wide variety of businesses are now able to electronically file their Report of Cash Payments Over \$10,000 (Form 8300) using the Bank Secrecy Act (BSA) Electronic Filing (E-Filing) System.

Franchised dealers and other merchants sometimes deal in large amounts of cash. Each person who is engaged in a trade or business that, in the course of that trade or business, received more than \$10,000 in cash in one transaction or in two or more related transactions, must file Form 8300. It also may be filed voluntarily for any suspicious transaction, even if the total amount does not exceed \$10,000. The FinCEN database is used to establish money trails and expose hidden criminal trends and patterns. Last year, FinCEN received almost 200,000 paper filings of Form 8300.

E-Filing is a **free**, Web-based electronic filing system that allows businesses to submit their FinCEN reports through a secure network. Compared with the traditional paper filing process, businesses find E-Filing a faster and more convenient, secure, and cost-effective method of submitting their reports as well as for receiving confirmation of their report's acceptance. The greater use of the E-Filing system also assists FinCEN in providing important information relating to money laundering and terrorist financing to law enforcement in the quickest manner possible. Almost all FinCEN reports **must** currently be E-Filed. Paper Form 8300 filings will continue to be accepted for the near future, though businesses are encouraged to begin to take advantage of the benefits of E-Filing now.

For technical questions or assistance, please contact the BSA E-Filing Help Desk at 1-866-346-9478 (option 1) or via email at BSAEFilingHelp@fincen.gov. The Help Desk is available Monday through Friday from 8 a.m. to 6 p.m. ET. Please note that the Help Desk is closed on Federal holidays.

DEPLOYED, DEACTIVATED & RETROFIT AIR BAGS

Although federal law does not require body shops and service departments to replace deployed air bags, dealerships are often faced with the option of repairing a vehicle in which an air bag has been deployed. According to the National Highway Traffic Safety Administration (NHTSA), a dealership, manufacturer, or repair business in **not required** to make a vehicle's air bag functional if it has been rendered inoperative. However, NHTSA does recommend that when an inoperative air bag is discovered, it should be restored to its original condition prior to resale, or a written disclosure should be given to the purchaser of the vehicle.

Dealerships should ask customers on a trade-in evaluation form if the vehicle's air bag has ever been deployed and if, to the customer's knowledge, it is functional. Dealerships should document this information and disclose it in writing to the next retail customer. When repairing inoperative air bags, the original manufacturer's repair and replacement instructions must be followed precisely.

Federal law does not restrict the ability of dealerships to resell used vehicles that have an air bag retrofit with on and off switches or a vehicle with an air bag that has been deactivated. Retrofit switches allow air bags to be turned on and off by the vehicle's operator, deactivated air bags are turned off indefinitely. In both instances, the customer should be made aware of the deactivated or retrofit air bag in writing prior to purchase. When delivering a switch-equipped vehicle, a signed statement acknowledging that the switch is in the on or off position should be obtained.

ALTERNATIVE FUEL VEHICLES

On Friday, October 19, and Saturday, October 20, the Automotive Technology Center at Southern Maine Community College will host a showcase of alternative transportation technologies. The event is a community awareness showcase of what manufacturers are building and what companies are doing in the vehicle conversion market. A flyer about the event accompanies this bulletin.

National Alternative Fuel Vehicle Day Odyssey



DECADE OF DIFFERENCE

Over 30 exhibitors!
Featured Technologies & Fuels:

Electric
Propane
Natural Gas
Biodiesel
Hybrids
and more!

Odyssey Day is a nationwide event to showcase alternative transportation technologies. Odyssey Day is coordinated by the National Alternative Fuels Training Consortium (NAFTC), whose mission is to educate the nation about alternative fuel and advanced technology vehicles.

October 19, 9:00 am – 4:30 pm
October 20, 10:00 am - 3:00 pm
at the Automotive Technology Center
at Southern Maine Community College



For more information visit www.nationalafvdayodyssey.org.
For directions visit www.smcme.edu/southportland.