

NEWS BULLETIN

Maine Automobile Dealers Association

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2017-17

DISTRIBUTION

- General Manager
- Office Manager
- Parts Manager
- Sales Manager
- Service Manager

THE FORM I-9 HAS CHANGED ... AGAIN!

Immigration enforcement is a major priority for the Trump Administration. Work site enforcement and I-9 audits and inquiries by the U.S. Immigration and Customs Enforcement agency (ICE) have been increasing and they will continue to increase. In addition to this, yet another new I-9 form was issued in 2017. **All employers must use the new Form I-9 during the hiring process for new employees starting on and after September 18, 2017.**

The newest version of the Form I-9 is dated in the bottom left corner, 07/17/17, with the expiration date of 08/31/2019 in the top right corner. On September 18, 2017, use only the Form I-9 that contains these two dates, and make sure the I-9 is fully complete. Section 1 must be completed on the first day an employee works for you.

The changes to the new I-9 Form do not stop with the form itself – there were changes made to **both** the Form I-9 and the Form I-9 instructions. All employers should make sure to make available the new Form I-9 instructions to all employees completing the Form I-9, and have the List A, B and C page available for employees when they complete the I-9 form. Enclosed please find a copy of the newly – revised Form I-9, along with the A-B-C listing of acceptable documents to support the employee's completed Form.

This change in the form may be a good reminder to conduct an internal I-9 audit and I-9 training to help ensure proper compliance with the immigration, employment verification, and E-Verify requirements, unless you've already done so when the (last) new I-9 form was released earlier this year. It pays to take time to ensure your I-9s are in compliance as the fines have increased significantly. Companies which previously had one audit are likely on the list for a second. Those companies which already experienced a second I-9 audit, and violations were noted, are likely to see a **third** audit.

DEALERSHIP LICENSE RENEWALS

Your dealership's license from the Bureau of Motor Vehicles (BMV) is renewed annually. This year, all dealer plates are being replaced with a different color scheme. For those dealerships whose renewal is November 1, 2017 or later, the Maine Legislature has increased the bond requirement, a change which affects all future renewals. The BMV mailed to all licensed dealerships on August 9th a letter (copy enclosed) which outlined the change. MADA will address this issue, and the Legislature's rationale for the change, at our Fall regional meetings.

SAFETY CORNER – BACK PAIN CHECK

Workers compensation claims for back injuries continue to lead the list for claims. Please take a minute to pause and ask a few questions. Does the dealership have aids that will help lift heavy objects, for example, a tire dolly? Are they used, and if not, why not? Are employees instructed in the proper use?

Are employees monitored and reminded to use the available equipment? There is also back strain from leaning in and over engine compartments. Do you have a top-side creeper to alleviate back strain? If you need any information about back aid equipment, please contact MADA's Becky Johnston at Becky@maineautodealers.com or cell 207-441-3907 for assistance.

E-MAIL FINANCIAL SCAMS

Several Maine dealerships have unfortunately found themselves embroiled in scams emanating from emails received by the dealership CFO, comptroller or office manager. These emails appear to come from the dealer or general manager, and include a request to wire transfer a significant amount of money, or request dealer or dealership bank account information. The apparent sender's email address appears to be a correct one for the dealer or general manager, when in fact it goes elsewhere – they look very real. A good procedure to follow when such requests are received is to require a telephone conversation between the dealership CFO – comptroller – office manager and the dealer or general manager, the purpose of which is to verify the authenticity of the request.

E-mail scams are not limited to those described above. Dealerships report similar attempts to obtain dealership funds or bank account information from parts and service department managers. This type of activity follows earlier scams involving dealership receipt of invoices for products not ordered. As always, one must remain vigilant.

RECORD RETENTION – JOB APPLICATIONS

Dealerships receive job applications periodically, or even constantly, and often ask “how long do we have to keep them” for those applicants who are not hired. The short answer: one year from the date the position was filled.

A more comprehensive review of record retention for job applications addresses both applicants who become employees and those applicants who are not selected. For applicants who become employed, the job application should become a part of that individual's personnel file. For applications submitted by individuals not hired, employers must retain those applications for at least one year from the date the position was filled. This one year timeframe will address employer non-discrimination obligations under various federal employment laws, as well as potential employer liability under the Maine Human Rights law.

Hiring records include, but are not limited to, all applications and resumes considered for the position, selection testing (employment tests, drug tests), and investigations (reference checks, background or credit checks).



Employment Eligibility Verification
Department of Homeland Security
 U.S. Citizenship and Immigration Services

USCIS
Form I-9
 OMB No. 1615-0047
 Expires 08/31/2019

▶ **START HERE:** Read instructions carefully before completing this form. The instructions must be available, either in paper or electronically, during completion of this form. Employers are liable for errors in the completion of this form.

ANTI-DISCRIMINATION NOTICE: It is illegal to discriminate against work-authorized individuals. Employers **CANNOT** specify which document(s) an employee may present to establish employment authorization and identity. The refusal to hire or continue to employ an individual because the documentation presented has a future expiration date may also constitute illegal discrimination.

Section 1. Employee Information and Attestation *(Employees must complete and sign Section 1 of Form I-9 no later than the first day of employment, but not before accepting a job offer.)*

Last Name (Family Name)		First Name (Given Name)		Middle Initial	Other Last Names Used (if any)	
Address (Street Number and Name)			Apt. Number	City or Town		State ZIP Code
Date of Birth (mm/dd/yyyy)	U.S. Social Security Number □□□□ - □□ - □□□□		Employee's E-mail Address		Employee's Telephone Number	

I am aware that federal law provides for imprisonment and/or fines for false statements or use of false documents in connection with the completion of this form.

I attest, under penalty of perjury, that I am (check one of the following boxes):

<input type="checkbox"/> 1. A citizen of the United States	
<input type="checkbox"/> 2. A noncitizen national of the United States <i>(See instructions)</i>	
<input type="checkbox"/> 3. A lawful permanent resident (Alien Registration Number/USCIS Number): _____	
<input type="checkbox"/> 4. An alien authorized to work until (expiration date, if applicable, mm/dd/yyyy): _____ Some aliens may write "N/A" in the expiration date field. <i>(See instructions)</i>	
<p><i>Aliens authorized to work must provide only one of the following document numbers to complete Form I-9: An Alien Registration Number/USCIS Number OR Form I-94 Admission Number OR Foreign Passport Number.</i></p> <p>1. Alien Registration Number/USCIS Number: _____ OR 2. Form I-94 Admission Number: _____ OR 3. Foreign Passport Number: _____ Country of Issuance: _____</p>	
<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;"> QR Code - Section 1 Do Not Write In This Space </div>	

Signature of Employee	Today's Date (mm/dd/yyyy)
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Preparer and/or Translator Certification (check one):
 I did not use a preparer or translator. A preparer(s) and/or translator(s) assisted the employee in completing Section 1.
(Fields below must be completed and signed when preparers and/or translators assist an employee in completing Section 1.)

I attest, under penalty of perjury, that I have assisted in the completion of Section 1 of this form and that to the best of my knowledge the information is true and correct.

Signature of Preparer or Translator		Today's Date (mm/dd/yyyy)	
Last Name (Family Name)		First Name (Given Name)	
Address (Street Number and Name)		City or Town	State ZIP Code



Employer Completes Next Page





Employment Eligibility Verification
Department of Homeland Security
 U.S. Citizenship and Immigration Services

USCIS
Form I-9
 OMB No. 1615-0047
 Expires 08/31/2019

Section 2. Employer or Authorized Representative Review and Verification

(Employers or their authorized representative must complete and sign Section 2 within 3 business days of the employee's first day of employment. You must physically examine one document from List A OR a combination of one document from List B and one document from List C as listed on the "Lists of Acceptable Documents.")

Employee Info from Section 1	Last Name (Family Name)	First Name (Given Name)	M.I.	Citizenship/Immigration Status
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List A Identity and Employment Authorization	OR	List B Identity	AND	List C Employment Authorization
Document Title		Document Title		Document Title
Issuing Authority		Issuing Authority		Issuing Authority
Document Number		Document Number		Document Number
Expiration Date (if any)(mm/dd/yyyy)		Expiration Date (if any)(mm/dd/yyyy)		Expiration Date (if any)(mm/dd/yyyy)
Document Title		<div style="border: 1px solid black; padding: 5px;">Additional Information</div>		<div style="border: 1px solid black; padding: 5px; text-align: center;"> QR Code - Sections 2 & 3 Do Not Write In This Space </div>
Issuing Authority				
Document Number				
Expiration Date (if any)(mm/dd/yyyy)				
Document Title				
Issuing Authority				
Document Number				
Expiration Date (if any)(mm/dd/yyyy)				

Certification: I attest, under penalty of perjury, that (1) I have examined the document(s) presented by the above-named employee, (2) the above-listed document(s) appear to be genuine and to relate to the employee named, and (3) to the best of my knowledge the employee is authorized to work in the United States.

The employee's first day of employment (mm/dd/yyyy): _____ **(See instructions for exemptions)**

Signature of Employer or Authorized Representative		Today's Date(mm/dd/yyyy)	Title of Employer or Authorized Representative	
Last Name of Employer or Authorized Representative	First Name of Employer or Authorized Representative		Employer's Business or Organization Name	
Employer's Business or Organization Address (Street Number and Name)		City or Town	State	ZIP Code

Section 3. Reverification and Rehires *(To be completed and signed by employer or authorized representative.)*

A. New Name (if applicable)			B. Date of Rehire (if applicable)	
Last Name (Family Name)	First Name (Given Name)	Middle Initial	Date (mm/dd/yyyy)	

C. If the employee's previous grant of employment authorization has expired, provide the information for the document or receipt that establishes continuing employment authorization in the space provided below.

Document Title	Document Number	Expiration Date (if any) (mm/dd/yyyy)
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I attest, under penalty of perjury, that to the best of my knowledge, this employee is authorized to work in the United States, and if the employee presented document(s), the document(s) I have examined appear to be genuine and to relate to the individual.

Signature of Employer or Authorized Representative	Today's Date (mm/dd/yyyy)	Name of Employer or Authorized Representative
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LISTS OF ACCEPTABLE DOCUMENTS

All documents must be UNEXPIRED

Employees may present one selection from List A
or a combination of one selection from List B and one selection from List C.

LIST A Documents that Establish Both Identity and Employment Authorization	OR	LIST B Documents that Establish Identity	AND	LIST C Documents that Establish Employment Authorization
<ol style="list-style-type: none"> 1. U.S. Passport or U.S. Passport Card 2. Permanent Resident Card or Alien Registration Receipt Card (Form I-551) 3. Foreign passport that contains a temporary I-551 stamp or temporary I-551 printed notation on a machine-readable immigrant visa 4. Employment Authorization Document that contains a photograph (Form I-766) 5. For a nonimmigrant alien authorized to work for a specific employer because of his or her status: <ol style="list-style-type: none"> a. Foreign passport; and b. Form I-94 or Form I-94A that has the following: <ol style="list-style-type: none"> (1) The same name as the passport; and (2) An endorsement of the alien's nonimmigrant status as long as that period of endorsement has not yet expired and the proposed employment is not in conflict with any restrictions or limitations identified on the form. 6. Passport from the Federated States of Micronesia (FSM) or the Republic of the Marshall Islands (RMI) with Form I-94 or Form I-94A indicating nonimmigrant admission under the Compact of Free Association Between the United States and the FSM or RMI 	OR	<ol style="list-style-type: none"> 1. Driver's license or ID card issued by a State or outlying possession of the United States provided it contains a photograph or information such as name, date of birth, gender, height, eye color, and address 2. ID card issued by federal, state or local government agencies or entities, provided it contains a photograph or information such as name, date of birth, gender, height, eye color, and address 3. School ID card with a photograph 4. Voter's registration card 5. U.S. Military card or draft record 6. Military dependent's ID card 7. U.S. Coast Guard Merchant Mariner Card 8. Native American tribal document 9. Driver's license issued by a Canadian government authority <li style="text-align: center;">For persons under age 18 who are unable to present a document listed above: 10. School record or report card 11. Clinic, doctor, or hospital record 12. Day-care or nursery school record 	AND	<ol style="list-style-type: none"> 1. A Social Security Account Number card, unless the card includes one of the following restrictions: <ol style="list-style-type: none"> (1) NOT VALID FOR EMPLOYMENT (2) VALID FOR WORK ONLY WITH INS AUTHORIZATION (3) VALID FOR WORK ONLY WITH DHS AUTHORIZATION 2. Certification of Birth Abroad issued by the Department of State (Form FS-545) 3. Certification of Report of Birth issued by the Department of State (Form DS-1350) 4. Original or certified copy of birth certificate issued by a State, county, municipal authority, or territory of the United States bearing an official seal 5. Native American tribal document 6. U.S. Citizen ID Card (Form I-197) 7. Identification Card for Use of Resident Citizen in the United States (Form I-179) 8. Employment authorization document issued by the Department of Homeland Security

Examples of many of these documents appear in Part 8 of the Handbook for Employers (M-274).

Refer to the instructions for more information about acceptable receipts.



Matthew Dunlap
Secretary of State

*Department of
the Secretary of State
Bureau of Motor Vehicles*

Patty A. Morneau
Deputy Secretary of State

David W. Guilmette
Director, Office of Investigation
& Dealer Licensing

August 9, 2017

To all Maine Dealers:

Many of you may have received a letter, dated July 18, 2017, regarding the law changes for the dealer surety bond. Please disregard that letter, it was sent out in error. We apologize for any inconvenience.

This letter is to inform you that there has been a change in the law regarding the motor vehicle dealer bond. Effective on November 1, 2017, the amounts for the motor vehicle dealer bond will change.

Maine Motor Vehicle Statute, Title 29-A §901 subchapter 2 states that a dealer, other than an equipment and light trailer dealer, shall file with the Secretary of State, and maintain a surety bond in the following amount, based on the prior year's sales:

- | | |
|---------------------------|---------------------|
| A. For 0-50 sales | \$25,000 |
| B. For 51-100 sales | \$50,000 |
| C. For 101-150 sales | \$75,000 |
| D. For 151 sales and over | \$100,000 (maximum) |

If you have any questions, please feel free contact Dealer Licensing at (207) 624-9000 ext. 52143.

Respectfully,

David W. Guilmette, Director
Office of Investigation
& Dealer Licensing

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