

NEWS BULLETIN

Maine Automobile Dealers Association

180 Civic Center Drive P. O. Box 2667 Augusta, Maine 04338-2667 DIAL 623-3882
e-mail: info@maineautodealers.com FAX 623-2318

2023-6

DISTRIBUTION

General Manager
Office Manager
Parts Manager
Sales Manager
Service Manager

STATE SAFETY INSPECTION LICENSING RULES

Recently, a few dealerships have been visited by representatives of the Maine State Police (MSP) Inspection Division about the need to have ALL persons who are responsible for handling and safe-keeping inspection stickers submit to a MSP Background Check. This is necessary for office personnel who handle inspection stickers, as well as for on-site managers who are responsible for the proper handling and safeguarding of the stickers.

For technicians who are already licensed, it is not necessary for them to duplicate the process of a background check. And if your dealership already limits handling of inspection stickers to technicians, the service department manager and/or the dealer principal (both of whom are already subject to this requirement), then this expanded obligation may not apply to your dealership.

Enclosed with this News Bulletin is a copy of the MSP form to use in submitting for Background Checks.

Background Checks were expanded due to a rash of inspection Sticker thefts – more than 200 were taken and sold in one situation. Please review your MSP Safety Inspection Sticker process for handling and safeguarding the stickers.

IRS RESTRICTIONS ON EMPLOYEE RETENTION TAX CREDIT

In an ongoing effort to curb abuse of the Employee Retention Tax Credit, the IRS recently released a Generic Legal Advice Memorandum (GLAM) to further stress the strict requirements for claiming the Employee Retention Tax Credit (ERTC) based on a full or partial suspension of business operations related to supply chain disruptions.

The ERTC is a refundable credit against certain employment taxes paid by businesses impacted by the COVID-19 pandemic. To claim it, a dealership must have experienced either:

- A full or partial shutdown due to a government order related to the pandemic, or
- A gross receipts of at least 50% for the same calendar quarter from 2019 to 2020, or at least 20% for the same calendar quarter from 2019 to 2021 (only the first three quarters of 2021 qualify).

The GLAM addresses the first criterion (first bullet above) by describing several scenarios that do not satisfy the requirements for claiming the ERTC. Its analysis specifies that, to claim the ERTC based on a supplier's inability to deliver critical goods and materials, a taxpayer must show that a qualifying government order caused the supplier and the taxpayer to suspend their business operations.

Certain promoters have pushed ineligible businesses to claim the ERTC based on supply chain disruptions that are tangentially related to the COVID-19 pandemic. The GLAM makes clear that the IRS takes a strict view on this type of ERTC claim and is working aggressively to address a flood of fraudulent and erroneous ERTC claims. Several CPAs have also expressed concern to NADA about the exposure of dealers who claim the ERTC based on a full or partial suspension of their operations.

CDC GUIDELINES FOR COVID-19

Given what is currently known about COVID-19, the U.S. CDC is reduced the recommended time for isolation for the public. People with COVID-19 should isolate for 5 days and if they are asymptomatic or their symptoms are resolving (without fever for 24 hours), follow that by 5 days of wearing a mask when around others to minimize the risk of infecting people they encounter. The change is motivated by science demonstrating that the majority of SARS-CoV-2 transmission occur early in the course of illness, generally in the 1-2 days prior to onset of symptoms and the 2-3 days after.

Additionally, CDC is updating the recommended quarantine period for anyone in the general public who is exposed to COVID-19. For people who are unvaccinated or are more than six months out from their second mRNA dose (or more than 2 months after the J&J vaccine) and not yet boosted, CDC now recommends quarantine for 5 days followed by strict mask use for an additional 5 days. Alternatively, if a 5-day quarantine is not feasible, it is imperative that an exposed person wear a well-fitting mask at all times when around others for 10 days after exposure. Individuals who have received their booster shot do not need to quarantine following an exposure, but should wear a mask for 10 days after the exposure. For all those exposed, best practice would also include a test for SARS-CoV-2 at day 5 after exposure. If symptoms occur, individuals should immediately quarantine until a negative test confirms symptoms are not attributable to COVID-19.

Isolation relates to behavior after a confirmed infection. Isolation for 5 days followed by wearing a well-fitting mask will minimize the risk of spreading the virus to others. Quarantine refers to the time following exposure to the virus or close contact with someone known to have COVID-19. Both updates reflect the current science on when and for how long a person is maximally infectious. These recommendations do not supersede state, local, tribal, or territorial laws, rules, and regulations, nor do they apply to healthcare workers for whom CDC has updated guidance.

MEMBERSHIP GOLF TOURNEY – SEPTEMBER 7

The 39th annual MADA Membership golf event will be held on Thursday, September 7, at the historic Poland Spring Golf Course on Route 26 in Poland, Maine. Earlier in August we mailed all members an announcement, event schedule and entry form for this tourney – a scramble format with dealership teams (or individuals) and sponsors. This is a day of fun and camaraderie for dealers and their guests, some of whom are alleged to be “ringers” since there are bragging rights for low gross and net scores (we discourage PGA and LIV Golf tour professionals however!!!). Please contact your MADA office if you want to participate in this enjoyable event. All proceeds go to MADA's ADTECH (Auto Dealers for Technical Education) fund which assists the 17 high school and 5 college automotive education programs in Maine. We look forward to welcoming everyone to Poland Spring in early September.

PERSONNEL ISSUES WEBINAR – SEPTEMBER 27

MADA will be presenting a Personnel Issues workshop for all MADA dealerships on Wednesday, September 27. This is the latest in our series of webinars on this general topic, which generates a lot of inquiries to your MADA office due to the ever-changing legal and regulatory requirements. A main topic of this webinar will be the **annual 12-week PAID LEAVE** legislation enacted by this year's Maine Legislature, but will also include information on mandatory employee scheduling notices, overtime exemption thresholds and several other labor law issues. These topics are presenting increased obligations and potentially significant penalties to all Maine businesses. Please watch for an announcement note and participation information to be sent to all dealerships after Labor Day.

If You Test Positive for COVID-19 (Isolate)

Everyone, regardless of vaccination status.

- Stay home for 5 days.
- If you have no symptoms or your symptoms are resolving after 5 days, you can leave your house.
- Continue to wear a mask around others for 5 additional days.

If you have a fever, continue to stay home until your fever resolves.

If You Were Exposed to Someone with COVID-19 (Quarantine)

If you:

Have been boosted

OR

Completed the primary series of Pfizer or Moderna vaccine within the last 6 months

OR

Completed the primary series of J&J vaccine within the last 2 months

- Wear a mask around others for 10 days.
- Test on day 5, if possible.

If you develop symptoms get a test and stay home.

If you:

Completed the primary series of Pfizer or Moderna vaccine over 6 months ago and are not boosted

OR

Completed the primary series of J&J over 2 months ago and are not boosted

OR

Are unvaccinated

- Stay home for 5 days. After that continue to wear a mask around others for 5 additional days.
- If you can't quarantine you must wear a mask for 10 days.
- Test on day 5 if possible.

If you develop symptoms get a test and stay home

###

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES 

CDC works 24/7 protecting America's health, safety and security. Whether disease start at home or abroad, are curable or preventable, chronic or acute, or from human activity or deliberate attack, CDC responds to America's most pressing health threats. CDC is headquartered in Atlanta and has experts located throughout the United States and the world.

Maine State Police – Traffic Division – Motor Vehicle Inspection Unit
20 State House Station, Augusta, ME 04333-0020 # 624-8935 or 624-8934

****Background Checks Only****



Form must be filled out completely.
 Fees are as follows: Criminal History/SBI Fee - \$21.00
 Make checks payable to: Treasurer, State of Maine

- Replacement Agent/Tint Certifier
- Office Personnel(Handles Stickers)
- On-site/Business Manager

Name: Last	First	M.I.	Jr/Sr
Date of Birth:		Driver's License #:	
		State held:	
Home (Mailing) Address:			
City		State	Zip Code
		U.S. Citizen Yes No	
Work Phone Number:		Alt. Telephone Number:	
Are you currently employed at a licensed inspection station?		Yes No	
Station Name:		Station Number:	
Have you <u>ever</u> had any criminal convictions?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
Have you <u>ever</u> had any traffic tickets?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
Do you have any pending charges?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
If you answered yes to any questions, please explain briefly on the back of this form.			

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000.00 or by both."

 Signature

 Date