

# NOZZLE & WRENCH

AN OFFICIAL PUBLICATION OF THE WASHINGTON DC, MARYLAND & DELAWARE SERVICE STATION & AUTOMOTIVE REPAIR ASSOCIATION



VOLUME 19/ISSUE 3  
MARCH 2020

## KIRK'S CORNER

# Legislation in Maryland



By Kirk Mccauley,  
Director Of Member  
Relations &  
Government Affairs

**These two bills could severely affect** convenience stores and in marginal times could put you out of business. Act now as these two bills could be voted on any day in committee. Committee is the best place to stop a bill before it gets to the floor vote. Links to the two committees are below. Send an email letter with your name and business address and you will make a difference in the outcome.

**HB3 and SB233** would ban all flavors in tobacco and electronic smoking devises including menthol. Menthol is around 55-60% of the tobacco market and could be more in some locations. Tobacco retailers need to contact their legislator if they are on the Economic Matters Committee or the Finance Committee (link below to committee members) and tell them how much this bill will affect your business. Both bills have been heard but not voted on in committee yet. The Fact sheet and talking points are listed below:

### Economic Matters

<http://mgaleg.maryland.gov/mgawebsite/Committees/Details?cmte=ecm>

### Finance

<http://mgaleg.maryland.gov/mgawebsite/Committees/Details?cmte=fin>

### Maryland Fact sheet on Flavors

<https://tinyurl.com/WMDA-flavorbans>

## Kirwan Commission Funding Bills – DEFEATED

The Kirwan commission educational proposals have been the backdrop for two bills that would be the largest tobacco tax (\$2.00 per pack) ever passed in HB732, and the largest tax increase in state history in HB1628. HB1628 would reduce sales tax to 5% percent while imposing sales tax on all services, except for specified services (non-profits, health care, educational service, service provided by religious organization, service given by civic and social groups and labor organizations.)

**HB1628** would tax transportation services like gas deliveries, parts deliveries, or any delivery made to your location. Service would include any labor on repair work, oil changes, towing, and storage. I will try to list what items I know but may miss some.



*Tobacco retailers need to contact their legislator if they are on the Economic Matters Committee or the Finance Committee and tell them how much this bill will affect your business.*

*Continues on page 4*



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## BILLS DEFEATED: HB1628 HB101/SB220

We supported two inspection bills in the House, HB154 & HB158. They both were voted out of Environment and Transportation Committee with a favorable report and will go on to the Senate.

## Legislation in Maryland

Continued from page 1

- Legal services
- Accounting, tax service, financial planning and human resources
- Auto repair, towing, gas delivery, cleaning service (uniforms and rags)
- Lawn service and landscaping
- Mail order, Grocery delivery, hair salons, house cleaning
- Veterinary service, grooming
- Printing, advertising, promoting, photography service
- Real estate sales, appraisals, home improvement, HVAC, plumber, electrician
- Transportation, bus, Uber & taxi.
- Media streaming, Netflix, amazon, Online job posting,
- Gym membership
- Funeral services

For sure I missed a lot

March 2nd we were in the Ways and Means Committee for seven hours on this bill. Earlier our business coalition had a news conference that was well attended and well covered by the media. Thanks to the Maryland Chamber and NFIB for setting this up. This is one of those bills that everyone's members are affected financially.

Overall, the bill sponsors said it would fund the Kirwan commission proposal by providing 3.7 billion dollars for education. When reading the fiscal note, it did say \$3.7 billion dollars but that didn't include transportation service, finance, insurance and real estate service due to lack of reliable information to base the estimate. This could be a \$5 billion or more hit on residents and businesses of Maryland. I will keep you informed on the progress of this bill.

**HB732(\$2.00 tobacco tax bill)** has not had a voting session in committee yet. I was informed that they are talking of \$1.50 tobacco increase instead of \$2.00 but that could depend on what

happens to HB1628.

**HB101/SB220**, the price sign clarity bill has gotten an unfavorable report by Economic Matters Committee and normally that will kill the companion bill in the Senate. These are not normal times so I will keep working on finance to kill it.

We supported two inspection bills in the House, **HB154 & HB158**. They both were voted out of Environment and Transportation Committee with a favorable report and will go on to the Senate.

SB566 is a bi-annual inspection bill that Senator Mary Washington put in without going over contents with stake holders nor the Automotive Safety Enforcement Division (ASED). Senator Washington did finally communicate, and I told her that the bill needed a lot of work. I also was in contact with ASED via email on their two bills and what they thought of HB566.

I did testify on the bill and in talks with ASED. We both agreed to sit down and talk about a bill that would work for everyone. In the end HB566 was not a failure but an opportunity to open a dialog with Senator Washington and ASED.

**SB539 /HB839 were both heard in committee.** These bills would provide 12 weeks, and under some condition 24 weeks, of sick and family leave. The original bill called for 0.5% contribution from the employer and 0.5% from the employee. Both equal amounts that employer would withhold and payable to Maryland Department of Labor, (MDL) Unemployment Insurance Division (DUI). By the second hearing, SB539 that 0.5% was changed to 0.7%. I won't get into definition of family but

its broad in this bill. You would have to give the employee their position or equal position when he or she returned.

An employee must only work 17 weeks (680 hours) to take 12 weeks off and possibly 24 weeks. Employee can claim 12 weeks of sick leave and if someone in his family or extended family needs his assistance, he can then take another 12 weeks. Now you are getting 24 weeks of leave and you only worked 17 weeks. In order to be fair, payment is only a partial pay that reaches a maximum at \$1,000 week based on a formula that the State uses. The other problem is verification, which will be next to impossible.

SB539 and HB839 is another example of a bill written by someone who has never owned a business and who does not understand what it takes to hire an employee, especially for a short term of 12 weeks. This is expensive in either overtime pay or hiring from a temp agency, to say nothing of training.

### Delaware

Delaware legislators are out until March 17th. On their return we expect to see flavor bills on tobacco and vaping, tax on tobacco and vaping and a minimum wage bill. I have also been hearing of a possible gas tax bill.

### District of Columbia

The District of Columbia has put out the final rule on the updated UST regulations. I have not had a chance to go over them yet, but the link to regulation is <https://www.dcregs.dc.gov/Common/NoticeDetail.aspx?NoticeId=N0089398>.

Any question on any legislative issues—email [kmccauley@wmda.net](mailto:kmccauley@wmda.net) or call 301-775-0221. ■

## Maryland HB 3 / SB 233 Tobacco Flavor Ban

### Sample letter to Maryland Legislators

Dear [Senator/Delegate Last Name]:

I am writing on behalf of [Name of business]. Our company operates [number of stores] and employees [number] Maryland residents. I am disappointed to learn that the Maryland legislature is considering a ban on the sale of menthol cigarettes, as well as flavored other tobacco products and cigars, as proposed under co-sponsored House Bill 3 / Senate Bill 233. This proposal will hurt law-abiding tobacco retailers across the state including [Name of business or businesses]. Below I am outlining a few reasons why you should consider opposition to this proposed legislation-

1. Purchase age 21 legislation was passed in Maryland and surrounding states last year. We supported this legislation as it helps ensure we keep tobacco and Electronic Smoking Devices out of the hands of our youth. Additionally, the new Real ID requirement and scanning technology in retail locations provides confidence that age-restricted products are only sold to individuals age 21 and older.
2. This legislation runs the risk of expanding an already large black market of smuggling contraband in from other states (Delaware, Virginia, Pennsylvania, and the District of Columbia) where the products are still offered. The proposed bans on the sale of flavored tobacco products to adults, including menthol cigarettes, would put an estimated \$177 million in revenues at risk – that's more than \$1.4 billion over ten years.

The impact on state programs could be significant. Many important programs or initiatives in the governor's proposed 2021 budget would be at risk of being funded. Below are a few programs of note that could be at risk with the lost tax revenue:

- \$115 million in overall state support for Morgan State University;
  - \$137.5 million in overall funding for a wide variety of student financial aid programs;
  - \$130.3 million to support local law enforcement;
  - \$120.6 million to provide heating and electricity assistance benefits for 210,000 households;
  - \$200.6 million for mental health and substance use disorder treatment for the uninsured population.
3. Last, I ask you to think about the impact this legislation will have on small business. Maryland is already an expensive state to business in with its high taxes, expensive licensing and permitting fees, and growing wages. This will place a tremendous amount of pressure on many Maryland small businesses who retail these products, many of whom are already struggling to make ends meet.

My request to our legislators is to think about the unintended consequences of this legislation. We all want to see public health improve and ensure our youth do not have access to these products.

But there is a better way to do that through improved education and better enforcement. Let's focus on how we can improve the situation by expanding those efforts rather than thinking that this type of sweeping legislation is going to resolve the problem.

Thank you for your time and consideration of our views in opposition of this unfair ban proposed under House Bill 3 / Senate Bill 233.

Sincerely,

[Your Name  
Your Title, Organization  
Your Address  
Your City, State, Zip  
Your Phone Number]





# Training Day 2020

## Greetings everyone!

We had yet another successful Training Day! (judging from the surveys turned in by attendees) We have reviewed every survey and taken note of the comments & suggestions that was given and will address all those in planning for next year.

This event wouldn't have been possible without the support of all our vendors. I want to give a special shout out to Parts Authority (Signature Sponsor) who also helped in securing Trainers for this year's Training Day.

We had a lot of winners on Saturday! A Samsung Tablet sponsored by Bolt On Technology went to Superior Auto Services.

Technician from Hillmuth Glenwood won a \$100 Amazon Gift card sponsored by Net Driven.

In addition, we had 4 Door Prize winners of \$50 Amazon Gift cards each.

Sandi Weaver (Chair, CAR Committee) – Thank you for all the help in putting this event together, couldn't have done it without you. #TEAMWORK

—Swapna Sripada





# Top 4 Stressors of Owning a Repair Shop



By Sandi Weaver  
BA Auto Care, Inc.

**4. Training** – Find good training, at an affordable price that employees actually want to attend. There is a lot of training being offered on many different platforms but after working 40+ hours a week, our employees don't want to spend their down time in classes and honestly, I don't blame them. Many shop owners pay for training but how many of us pay for their time while being trained. Money isn't always the best motivator but it sure does help make it a little more worth while. I have always paid their regular wages if they were missing a day of work but not when it was after hours. One idea is to pay them a lesser wage to help encourage more training. Another idea, is a shorter online course, they can do when it fits in their schedule. Another option is to take the leap and send them to an all day or a few days at once like Training Day or Vision.

**3. Multitasking** – Being the owner and in most cases, the manager, can be very stressful. Working long days, trying to manage while also getting work completed can overwhelm us at times, plus add in those curveballs that always come up, it can feel like we are treading water. Allocate set times to get certain tasks accomplished, actually put it on your calendar. By blocking of set times throughout the day or week and letting your staff know you aren't to be disturbed, can take some of the stress off. Delegating, I know this is one of the hardest things for an owner to do, but problem shared is a problem halved. It will take time to teach someone how to do these tasks but it will be worth it in the long run.

**2. Technician shortage** – This has been an on going problem for a few years now but we as shop owners can change this. We can grow our own techs and teach them how we want them done. The hardest part is getting started. Now more than ever, we have the support we need. The Department of Labor and Maryland Work Force are working hard to get students in high school, involved in apprenticeships with the Youth Apprenticeship Program. Having the chance to have a young high school student in our shops give us a chance to show them a head start on their career. WMDA/CAR has taken the next step to make this process that much easier, contact Teresa Mena with the Maryland Department of Labor (443) 202-0628 [teresa.mena@maryland.gov](mailto:teresa.mena@maryland.gov) to learn how easy getting started really is.

**1. Managing Employees** – Our greatest asset and also the most challenging to . With everyone having a different personality, wants and needs, can take up a lot of time if not managed affectively. Having regular shop meetings helps keep employees updated on expectations and changes while giving them the chance to ask questions and give constructive feedback. Having one on one meetings regularly provides can help understand each person's personal and professional goals and how you can support them as they grow. Running a busy shop can make these commitments difficult but can also alleviate the miscommunication and potential problems. ■



*Working long days, trying to manage while also getting work completed can overwhelm us at times, plus add in those curveballs that always come up, it can feel like we are treading water.*

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**LEGISLATIVE UPDATE**

# Transportation Reauthorization Update



By Roy Littlefield IV

Since President Trump and House Democratic leaders announced that they would be working together on a \$2 trillion infrastructure package four years ago, SSDA-AT has been involved in several funding discussions and meetings in Washington.

Although funding levels to this height are currently not on the table, there are still significant proposals being introduced and discussed in Congress.

Recently, House Democrats released their infrastructure framework which provides \$760 billion in infrastructure funding over five years (FY 2021-2025) including \$319 billion for highway investments.

The framework is an overview of a large infrastructure package that includes funding for roads, transit, rail, aviation, broadband, wastewater, and drinking water. The framework touches on funding and financing infrastructure investments but doesn't offer a pay-for.

Recently, House Republicans released their infrastructure principles for the surface transportation bill.

The Republicans are hopeful that they can work with the Democrats to produce a bipartisan bill that can be signed by the President.

During the State of the Union President Trump called for Congress to pass the Senate reauthorization bill, S. 2302, signaling that, for now, a larger infrastructure package is off the table.

It is promising that passing the transportation authorization is a priority for the President. This statement received rousing bipartisan support during his speech.

Leaders in Washington are considering as pay-for significant increases on motor fuel taxes, truck parts, truck taxes, and reintroducing the FET on passenger tires and retread rubber. There are also those proposing to turn over the interstate system to the states and allow Governors to set tolls; changing the highway formula from 80% federal funding and 20% state funding to 80% state funding and 20% federal funding.

SSDA-AT believes that an infrastructure bill is a jobs bill that cuts across party lines. SSDA-AT has opposed any proposed taxes in past infrastructure proposals that would be harmful to the industry.

At the end of 2015, Congress passed a highway bill. But funding for that bill will run out in the fall of this year, therefore Congress will have to pass a bill in some form in 2020.

SSDA-AT believes there are a variety of other funding options available that would not be harmful to the service station and automotive repair industries including repatriation of overseas money.

SSDA-AT strongly believes that all users of infrastructure must pay their fair share, not just the highway users.

SSDA-AT will monitor and consider all transportation proposals brought forth in the 116th Congress.

SSDA-AT will continue to be actively involved in transportation funding discussions. ■

*At the end of 2015, Congress passed a highway bill. But funding for that bill will run out in the fall of this year, therefore Congress will have to pass a bill in some form in 2020.*

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## EDITORIAL

# 2020



By Roy Littlefield

**A new year and a new decade.** For so many reasons, 2020 is a momentous year. America is at a crossroad economically, politically, and globally.

The state of business in America is uncertain, positive, growing and hopeful. The economy is the strongest it has been in years.

Over the past seven presidential administrations, the bipartisan effort has moved America from a nation dependent on sometimes hostile nations for oil and other forms of energy,

to the world's top supplier of energy and now the world's greatest exporter of energy. The benefits of the American energy revolution have strengthened our position as the top economy in the world.

The American Dream is alive and well. Today's economy is excelling at making sure that those who want a job, can find a job. The unemployment rate is lower than it has been in 50 years. Americans living today have every reason to be optimistic—and grateful.

What challenges require our attention? What is our place in the global economy? What can we reasonably get done in 2020?

What happens in Washington is perhaps the biggest question mark. The high drama of impeachment has ended, now we can get back to the high drama of POLITICS.

Conventional wisdom says that in an election year, it will be difficult to get any meaningful legislation through Congress.

But a great deal can be accomplished. Now is the time for strong leadership, smart decision-making, and meaningful action.

America needs:

- An infrastructure deal to modernize the physical platform of our economy.
- Reform to our immigration system to ensure that businesses have the workers they need.
- (And) Bipartisan bills that can help address climate change through innovation and investment.

At the United States Chamber of Commerce's annual "State of American Business," Chamber President Tom Donohue focused on the 32.6 million domestic companies that power the United States economy. The message was that despite the impeachment proceedings, the political divide, the elections, and the uncertainty, American businesses—large and small—cannot take the year off. Inaction is not an option. WMDA-CAR and SSDA-AT members especially understand.

Nothing "was supposed to happen" at the end of 2019. While the discussions in Washington captured the headlines, Congress made bipartisan progress on a number of significant business policies.

•After a long process of negotiating the U.S.-Mexico-Canada agreement through eight rounds of negotiations, it passed the House of Representatives and was headed to the Senate.

Congress also passed and the President signed into law:

1. A top WMDA-CAR and SSDA-AT legislative priority—the full repeal of the Cadillac Tax, the Health Insurance Tax, and the Medical Device Tax.



### America needs:

- An infrastructure deal to modernize the physical platform of our economy.
- Reform to our immigration system to ensure that businesses have the workers they need.
- (And) Bipartisan bills that can help address climate change through innovation and investment.



2. Extension of the Work Opportunity Tax Credit—another WMDA-CAR and SSDA-AT priority.

3. A seven-year extension of the U.S. Export-Import bank.



4. Legislation to allow retirement options for small business.

5. (And) Renewal of critical awareness programs to cover flood and terrorism attacks.

WMDA-CAR and SSDA-AT recognize that there are lawmakers



of both political parties who are committed to doing the nation's business. We continue to call for bipartisan compromise and legislative leadership—good old-fashion governing. ■

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- 8:00 AM - 5:00 PM Exhibits
- 8:30 AM - 9:45 AM OPW Flexworks - **Re-Certification**
- 10:00 AM - 11:30 AM NOV Fiberglass Pipe **Re-Certification**
- 10:30 AM - 12:00 PM **Va. DEQ 2018 Regulation Update**
- 1:00 PM - 2:30 PM **Delaware - DNREC Review 2020 Regulations**
- 1:00 PM - 2:15 PM NOV / Containment Solutions FRP Storage Tanks **Re-Certification**
- 2:30 PM - 3:45 PM Morisson Bros. AST Filling, Venting and product withdraw and valve requirements
- 3:45 PM - 5:45 PM Networking Reception sponsored by **OPW**

#### THURSDAY, MARCH 19

- 8:00 AM - 3:30 PM Exhibits
- 8:30 AM - 9:45 AM APT Pipe/Franklin Fueling **Re-Certification**
- 10:00 AM - 11:00 AM EMV 2020 Deadline - What You Need To Know by **Wayne Fueling**
- 11:00 AM - 12:00 PM **MDE Review 2020 Regulation Up-Date**
- 11:15 AM - 12:00 PM Icon Repair Boot **Certification**
- 1:00 PM - 2:15 PM Power Integrity - Providing Peace of Mind Through Design, Installation and Maintenance of Your Fueling Site
- 1:00 PM - 2:15 PM Repair Boots and Fitting Installation Certification by **S. Bravo Systems**



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