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Recyclers News Press

Iowa Auto Recyclers

November / December 2015

Mike Swift Becomes President of the Automotive Recyclers Association

Professional Automotive Recycler Mike Swift of Swift's Trails End Auto Recycling, in Des Moines, Iowa, gave his inaugural speech as the President of the Automotive Recyclers Association (ARA) at the 72nd Annual ARA Convention & Exposition held October 7-10 in Charlotte, North Carolina.

His tenure on the Executive Committee of the Association, where he has served as Secretary, Second Vice President, and First Vice President, continues in a leading role to help shape and guide the

Association's initiatives and directives.

"I am honored to take the reigns as President of ARA and to continue to play a role in preserving and promoting the work of professional automotive recyclers," said Swift in his acceptance speech. Swift, a longstanding ARA and Certified Automotive Recycler (CAR) member, is extremely active in the industry as a cutting-edge automotive recycler and leader in his community.

Continued on page 10...



Photo courtesy of ARA

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Recyclers News Press

The RECYCLERS NEWS PRESS is published six times per year for the Iowa Automotive Recyclers. None of the material in this publication necessarily reflects the opinion of IAR, its officers, director, staff members or advertisers. Statements of fact and opinion are the responsibility of the author.

IAR Members are encouraged to submit material for publication in the Recyclers News Press. Content may be edited for length with the author's permission.

Deadline for submission is the 20th of the month prior to publication. Send content to Sue Schauls at Schauls3@mchsi.com with a full color graphic when possible.

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Iowa Automotive Recyclers Board of Directors Meeting September 22, 2015 Via teleconference

Members present: Andy Wilken, Sue Schauls, Mike Swift, Brad Osborn, Mike Davidson, Tom Quandt, Brent Nugent, Jordan Barkow, Joel McCaw, Pat Rooff, Jodi Kunde, Eric L. Piper, Mike Waterbury and Mike Garvin.

President Andy Wilken called the meeting to order at 5:22 p.m.

Rebuilder Online Form – Three members of the IAR participated in testing the DOT's new online **Rebuilder Theft Inspection online request system** which took place in the DOT headquarters in Ankeny. Comments from participants included that it worked fine and the online form asks for the same information as the paper form. We suggested the rule be updated to include the receipt for the salvage title vehicle on the form and then calculate the fair market value by adding up receipts of parts for the unlicensed rebuilder that are subject to road use tax. The idea was well received by the DOT.

Paul Steier, Iowa DOT, noted that 12,000 to 14,000 rebuilder theft inspections were requested last year with 5,500 of those subject to road use tax therefore requested by unlicensed rebuilders/hobbyist.

This new online form will go live later this year. The DOT will be demonstrating how to use it to the IAR Board at the face-to-face meeting in Ankeny in late October/early November.

In the new system, the rebuilder will request and pay for inspections at the time an inspection request is initiated through the system. A peace officer/

inspector will schedule and conduct the inspection and receipt verification then complete the online request in the system. The rebuilder can then go to the court house to title the vehicle to prior salvage from the salvage title.

NMVTIS/Affidavit Rule Writing – Mike S., Sue and Jim Piazza met with the DOT concerning the administrative rule writing for the new law and to see what the status of the rule writing is currently with the DOT. Jim's role in this process is important to making sure the rules get written according to the concepts which we presented to the legislators and that were agreed upon by other interested parties such as the Attorney General Consumer Protection Division, the metal recyclers and the used care dealers.

A paper affidavit form was requested as a safety net



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AutoDataDirect, Inc.

Iowa Automotive Recyclers Board of Directors Meeting

September 22, 2015
Via teleconference

of proof for auto recyclers as to the identity of the party selling the vehicle without title therefore by affidavit of ownership. An affidavit will be able to be used to buy a vehicle without a title as long as the vehicle is 12 years and older, has a fair market value of \$1,000 or less and the seller swears on an affidavit that they have the right to sell the vehicle as the rightful owner. Illegally asserting ownership would be fraud.

Reporting to the Iowa NMVTIS system will "kill" the title for any vehicle reported as crushed thus eliminate the need for junking certificates once the system goes live. The system will work with the national NMVTIS reporting processes so that duplicate reporting will not be required. Mike S. noted that beginning in January, all recycler license applications and renewals will require an NMVTIS number from the recycler in order for the license to be issued.

There was additional discussion about the feedback from the financial consultant per the last meeting which will be tabled until after the New Year for tax purposes. The upcoming ARA convention in Charlotte, NC, October 8-10, 2015, was discussed and raffle tickets are being sold for educational scholarships from ARA. The next meeting, subject to DOT availability, is planned to be held in Ankeny.

Meeting Schedule

October 7-10 2015 – ARA Convention in Charlotte

October-November – Face-to-face TBD - DOT Demo and work on legislative agenda for 2016

December 15, 2015 – TBD teleconference call or face-to-face if needed



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The meeting was adjourned by Andy at 6:26 p.m.

Respectfully submitted

Jeff Smid

Jeff Smid, Secretary



Iowa Automotive Recyclers Board of Directors Meeting

October 29, 2015 - 9:00 am
Via teleconference

Members present: Andy Wilken, Sue Schauls, Mike Swift, Brad Osborn, Tom Quandt, David Hesmer, Clyde Lems, Brent Nugent, Jordan Barkow, Joel McCaw, Pat Rooff, Eric L. Piper and Jeff Smid.

President Andy Wilken called the meeting to order at 9:06 a.m.

NMVTIS/Affidavit Rule Writing – Sue recapped for the board where the rule writing process is at this point. She said Jim Piazza, Jr., IAR Lobbyist, has been working with the DOT and with another recycler lobbyist and is awaiting the official draft of the NMVTIS/Affidavit Rule which goes into effect on January 1, 2016 which was passed into law during the last legislative session.

Sue reported that Jim said the rule is not fully written but is getting closer every day although it is still too vague and needs more detail. When the official rule comes out, there will be a time for public opinion. Sue will let everyone know when the draft comes out and will ask all members at that time for comments so we have our feedback to give the DOT during the public opinion period.

Paul Steir with the DOT called Sue in response to her request to have Paul attend a meeting to preview the rebuilder theft inspection request system that some members tested for DOT. Rather than a meeting, Paul gave Sue a link for everyone to use to do some training on their own. Sue developed a printable graphic for IAR members to pass along to their customers that purchase salvage vehicles with the intent to rebuild and then title for road use.

The other purpose of the DOT phone call was to ascertain how scrap metal recycling facilities track sellers' identification information to see if it would fit with the new Affidavit portion of the Iowa NMVTIS Law. Paul had discussed in a previous meeting with Jim, Sue and Mike Swift that he considered no paper affidavit form for vehicles brought in without title for acquisition via affidavit. IAR's position is that we would prefer a paper form signed by the seller for our legal protection.

Sue said it has come to her attention that some of the writing was left out of the law that passed in regard to the requirement for a lien check. Since the law has passed, it might not be possible to add in rule writing. Sue said there may be a time to "clean up" the law and make a change with some "tweaks" in subsequent legislative sessions.

Sue said Jay with Auto Data Direct has been waiting to hear from the DOT to assist them with the Iowa NMVTIS system by year-end and to get a contract for his services.

Paul with the DOT told Sue they do not plan to use a 3rd party vendor which may mean no real changes in the NMVTIS reporting procedure.



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Iowa Automotive Recyclers Board of Directors Meeting

October 29, 2015 - 9:00 am
Via teleconference

Pat Rooff received a similar call from the DOT about the details of identity collection. The DOT told Pat Rooff we would still need to do junking certificates as we always have and only cars done by the affidavit system will be handled through the new process.

In regard to the affidavit form, Sue suggested beginning January 1, 2016, we voluntarily use a form Jim Piazza has proposed as a best business management practice when taking in vehicles by affidavit. This was also agreeable to the scrap metal recyclers via previous conversations with their representatives.

Pat said Mike Athey (DOT) would be willing to attend a round table discussion with the IAR Board to discuss our comments and concerns. It was decided to ask Mike if November 10th, 11th or 12th would work for him with lunch at noon and a meeting at 1 pm at a location in Ankeny. By then the rule should be drafted so we will have the opportunity to talk with DOT about our concerns.

Other Business

Mike Swift assured the board that the national association is working on getting OEM data into our parts management system so we can more easily track recalled parts as a result of a federal law prohibiting the sale of recalled parts as well as enhancing the interchange of parts once OEM data is acquired.

Meeting Schedule

November – Face-to-face TBD - DOT and work on legislative agenda for 2016

December 15, 2015 – TBD teleconference call or face-to-face if needed

Brent made a motion to adjourn with a 2nd from David. The meeting was adjourned at 9:41 a.m.

Respectfully submitted

Jeff Smid

Jeff Smid, Secretary



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SUE SPEAKING

Letter of Support to Mike Swift

I'm so proud of Mike Swift for becoming President of the Auto Recyclers Association or "ARA" and I promise my support in the next year. My goal is for my support to look much like it has in the last eight years, for that I offer this letter of support. By which I mean I will repeatedly offer up one letter in response to the many decisions, obstacles and challenges ahead: **O!** Being from the Midwest, Mike will be able to appreciate the nuances of the response without explanation but for the rest of you, here goes.

Surprised O: /*Ō*/ Short abrupt long-sound O. Often meaning OK when it is really not OK.

Question O: /*Ō?*/ Long drawn out long-sound O with a questioning inflection at the end. Meaning are you sure? Because I doubt it.

Understanding O: /*Ō*/ or /*Ō*/ Medium-length Long-sound O or Short-sound O. Can be utter in two ways: First, a medium-length long-sound O that ends with your lips mimicking a kissing fish, which actually signi-

fies *OK I'll do as I'm told*. Second, a medium-length short-sound O that sounds like Ah that spikes up at the end and means "tell me more" in a contemplative way.

Disagreeing O: /*Ō*/ Medium-length Long-sound O that sounds more like a grunt than

a vowel. Uttered from the back of the throat in disagreement and deepens in tone at the end.

Disappointing O: /*Ō*/ Short abrupt long-sound O. Sounds like a nasal Ew. Means that's too bad. Paired with a head nod will signify defeat or acceptance.

Shocking O: /*Ō*/ Short abrupt long-sound O. Pronounced O-wa often in loud voice with furrowed brow. Means I'm shocked. Often paired with slang term for fecal matter.

Exuberant O: /*Ō*/ Short abrupt long-sound O. Just O. As in "Oh, I get it" with a chin raise or "Oh, I have an idea" if paired with jazz hands.

Oh what a year it will be!



Thanks for listening,

Sue Schauls

Sue Schauls, Executive Director

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Mike Swift Becomes President of the Automotive Recyclers Association

In his first remarks as ARA President, Swift urged all members to put forth the effort to fuel the passion that he saw firsthand during his travels to professional automotive recycler facilities this past year. He encouraged all to "live the dream" so that ARA can remain strong and continue to be an invaluable resource to its members. He promoted the ARA CAR and Green Recycled Parts Programs as great branding tools for the industry. He ended his speech by reciting the lyrics to the leading song in the

Broadway play, *Man of La Mancha*, "To Dream the Impossible Dream," and challenged his colleagues to make the impossible dream.....possible.

During the evening program, Swift recognized the ARA staff, his mother, wife, children as well as close family friends from Iowa who travelled

to Charlotte for his inaugural ceremony. Swift credits his Dad - his hero - for teaching him the business from the ground up, starting in 1979.

He hopes to carry on his Dad's legacy by giving his all to the ARA Presidency - working with his fellow recyclers and ARA staff to increase market opportunities for professional automotive recyclers. His colleagues know Swift as a leader who empowers people to get things done so it should be a very busy year.

Swift served as the IAR past Vice-President and Presidents, is a current board member of the Iowa Automotive Recyclers and the

Chairperson for Government Affairs in the state. In addition, Swift's Trails End Auto Recycling was the first yard in Iowa to be I-CARE certified. On the ARA side, Swift was the regional director in 2009 and 2011 and the Regional Director Chair from 2010-2012.

Since 1943, the Automotive Recyclers Association (ARA) represents an industry dedicated to the efficient removal and reuse of "green" automotive

parts, and the proper recycling of inoperable motor vehicles. ARA represents the interests of over 4,500 auto recycling facilities in the United States and fourteen other countries around the world.

With programs such as the Certified Auto-

motive Recycler Program (CAR), Green Recycled Parts, and other partnerships, ARA members continue to provide consumers with quality, low-cost alternatives for vehicle replacement parts, while preserving our environment for a "greener" tomorrow.



Photo courtesy of ARA



To learn more about the Association, visit ARA's Home Page at www.a-r-a.org or call (571) 208-0428.

Hazard Communication Program

SAFETY REQUIREMENT

Hazard Communication Standard (HCS) is the rule that requires employers to provide training and chemical hazard information to their employees. The requirement of maintaining an inventory and the safety data sheets (SDS) for chemical found in the workplace is the most commonly know portion of the rule. Having a Safety Supervisor, SDSs, monthly training and a written Safety Plan or *Hazard Communication Program* meets the requirements of the rule.

Under the provisions of the Hazard Communication Standard, employers are responsible for informing

employees of the hazards and the identities of workplace chemicals to which they are exposed. Recently the United States agreed to the **Globally Harmonized System (GHS) of Classification and Labeling of Chemicals**. This simply means that the Safety Data Sheet (SDS) for chemicals will be formatted in the agreed United Nation's standard look in the native language of nations across the globe.

The Hazardous Communication Program has three important components with records of each retained in the SAFETY binder:

1) An Inventory list of hazardous chemicals at this salvage yard.

The inventory list of chemicals at the facility is kept in the front of the SDS binder. Employees are asked to help identify products used in the shop that may need an SDS. Everyone must work together to keep each other safe.

2) Safety Data Sheet (SDS) and labels for each hazardous chemical.

An MSDS or SDS is an informational sheet used to communicate hazardous characteristics of chemicals found in the workplace. The MSDS/SDS and container labeling are vital resource for handling those chemicals in an emergency situation. Labels are not removed from any container or defaced in any manner. New SDS compliant labels will be used on products as the GHS format Safety Data Sheet become available.

3) A written hazard communication program.

Employees will be trained on hazardous chemicals in their work area at the time of their initial assignment and whenever a new hazard is introduced into their work area. This will ensure that employees have the necessary information prior to exposure to prevent the occurrence of adverse health effects. Retraining will be done when a new hazard is introduced into the work area, not a new product.

Visit the SDS LIBRARY at www.sueschauls.com/msds.html to find the SDS for Used Oil, Used Anti-freeze, Gas and Diesel and many other automotive salvage workplace chemicals.

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Used Antifreeze	275 gallon tote	_____
Used Antifreeze	____ gallon tank	_____
Used Antifreeze	____ gallon tank	_____
Used Antifreeze	____ gallon tank	_____

Product	Capacity	Quantity
Used Oil	55 gallon drum	_____
Used Oil	275 gallon tote	_____
Used Oil	____ gallon tank	_____
Used Oil	____ gallon tank	_____
Used Oil	____ gallon tank	_____

Product	Capacity	Quantity
Gasoline	55 gallon drum	_____
Gasoline	275 gallon tote	_____
Gasoline	____ gallon tank	_____
Gasoline	____ gallon tank	_____
Gasoline	____ gallon tank	_____
Gasoline	____ Gas Buggy	_____
Gasoline	____ Gas Cans	_____

Product	Capacity	Quantity
Diesel	55 gallon drum	_____
Diesel	275 gallon tote	_____
Diesel	____ gallon tank	_____
Diesel	____ gallon tank	_____
Diesel	____ gallon tank	_____

Containers of all sizes must be labeled.

Total Quantity of Labels ordered _____

x \$2 each = _____

Please fill out the company information:

Contact name: _____

Facility Name: _____

Address: _____

Under the new Hazard Communication GHS rules containers of all sizes must be labeled, including small volume and transfer containers. **Labels should be chemical and weather resistant for durability and longevity.**

Complete the tank inventory at left, tally the number of labels being ordered at the bottom and return with payment to:

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The tank inventory will also help identify if the facility requires an SPCC (Spill Prevention Control and Countermeasure) plan. If petroleum product storage capacity is 1320 gallons or more then the facility should either reduce tankage or prepare and implement an SPCC. Antifreeze does not count in the SPCC total but new oil, hydraulic fluid and solvent , etc or any petroleum-based product in 55-gallon and larger container counts.



Haz Comm Secondary Label SAFETY REQUIREMENT

In 2012, the Hazard Communication Standard (HCS) was updated to the **Globally Harmonized System (GHS) of Classification and Labeling of Chemicals**. The changes re-formatted Material Safety Data Sheet (MSDS) to Safety Data Sheets (SDS) in a standardized 16 Section format so that employees can more easily access information on chemicals in the workplace. The process of converting to the SDS format has been progressing slowly. By now employees should have been trained on the newest format.

The next deadline for compliance is the June 1, 2016 requirement for employers to have all MSDS changed to SDS and container labels in place that are also in SDS format. Tank labels will need to contain six elements; 1) Product Identifier (Name of the Chemical); 2) Signal words (Danger or Warning or None); 3) Pictograms; 4) Hazard Statements; 5) Precautionary Statements; 6) Company Information. Employers are required to train Employees on these new elements and the new GHS pictograms. The information has been and will be included in future training modules of the Safety Subscription.

The OSHA requirements DO NOT include the NFPA (National Fire Protection Association) fire diamond system of hazard identification because the OSHA update aligned with the United Nations global initiative and the NFPA is a national system used in the

U.S. Use of the fire diamond is still a requirement by the local fire departments.

Ideally the tank labels used at an automotive salvage facility will meet all of the standards required such the new OSHA SDS secondary label format, waste identification for EPA and state's Department of Natural Resource requirements as well as the NFPA warning. The chemicals should be durable, chemical resistant and weatherproof if tanks are located outdoors.



Continued on next page...

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Haz Comm Secondary Label

SAFETY REQUIREMENT

So the requirements should be as clear as mud at this point! Here's WHAT TO DO:

Continue To replace MSDS with SDS as they become available. Safety Kleen just issued the Used Oil and Used Antifreeze SDS that are most appropriate at an automotive salvage facility. Download at www.sueschauls.com/msds.html

Continue to maintain an up-to-date inventory of chemicals. An inventory sheet is available for download from the SDS Library (link above) that contains the products removed from a salvage vehicle during "de-pollution." Staff at the facility will need to complete the list with products that are used, purchased and/or stored at the individual facility. If you are receiving I-CARE audits be ready for it to be addressed at the next visit.

Replace existing labels on any tank/tote/drum/container/bucket/gas can/jug/bottle/etc. (all containers!) with SDS compliant labeling. Download and print from the SDS Library or order using the order form on the previous page or by email to Sue.

Safety Subscription participants and **Iowa Automotive Recyclers members** will also receive an email and later a packet in the mail if I don't hear from you soon enough. Non-members can either join or subscribe to keep pace with the full implementation of the Hazard Communication regulations as the OSHA violation for this rule has risen quickly to be among the top two most frequently fined violations last year.

Recently AVERY came out with a label product that meets that exact needs for durable chemical and weather-resistant labeling *for those with a laser printer*. The Avery labels are available directly from Avery or from discount office supply stores. **Look for Avery Ultra Duty GHS Chemical Labels.** To print the labels in the SDS Library order the half page labels, two per sheet, Avery Label 60502.

Other SDS compliant labels will continue to be made available for order or download as the SDS become available. Don't panic if you do not have the SDS for a product even though the manufacturers and suppliers deadline is December 1, 2015, OSHA has realized the conversion is taking more time than anticipated. Use the extra time to get your program started or updated so that next June you are not coming to the Iowa Automotive Recyclers Summer Outing just to pick up your packet of SDS and labels! Come for other reasons such as the stellar line up of speakers on maximizing both retail and wholesale (core) sales and the networking opportunity.

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Iowa Automotive Recyclers Scholarship Program

Each year the Iowa Automotive Recyclers award scholarships IAR Direct member's children and the children of their employees, to assist with the cost of a post secondary education.

Students may apply during any year they attend an accredited institution. During this recession, colleges have cut back on scholarships, grants and other forms of financial aid available to students due to funding cuts to education. That's why these scholarships are more important than ever.

Download the IAR SCHOLARSHIP APPLICATION

www.iowaautomotiverecyclers.com/Scholarship.html

Remember to check out the Automotive Recyclers Association (ARA) Scholarship program too. Children of employees of ARA members are eligible to apply. Visit www.a-r-a.org/ for more information.

IAR Scholarship Fund

The Iowa Automotive Recyclers scholarship fund was established in 2007 for the children and employees of the Iowa Automotive Recycler Association members as a way to help offset the cost of their continuing education.

The scholarship is open to a child or grandchild of an owner or employee of IAR Direct Member recycling facility. Any son, daughter, grandchild, son-in-law or daughter-in-law may apply as well as the owner, employee or spouses of a member in good standing. An employee of the IAR member must have been employed at the yard for at least the past one year for the employee or their relatives to be eligible.



"The school is the last expenditure upon which America should be willing to economize."

~Franklin D. Roosevelt

The funds for the scholarships are generated through the IAR Summer Outing Auction. We are thankful for all the support that we have received from our members in making it possible to provide scholarships to these deserving individuals. Many fun and unique items have been generously donated.

The auction has not only provided financial support to the scholarship program but it has been known to create some antics at the event as well. The head shaving for bid at Quandt's event raised lots of money and I'm certain both Jeremy and Bart remembered it well during the many months it took to grow out their hair! Thanks guys, way to step up!

I also seem to recall a t-shirt modeling incident at Nugent's event the year before that definitely raised some eyebrows and the bids for the t-shirts as well as the "presentation." We won't name names in print but who knew the sales staff was so "Magic Mike" talented?

The pranks go way back as auction surprises too. I recall someone having to buy back his distributor cap at one meeting in Okoboji. And let's not forget Brent's "Richard" costume he donned in Bloomfield. Some guys... I can't wait to see what ensues in Kensett, Iowa this summer!

\$5,000 was awarded in scholarships for the fall term. Any questions regarding the scholarships and/or applications should be directed to:

Scholarship Committee
Attn: Jodi Kunde
55 West 32nd Street
Dubuque, IA 52001

Email Jodi at
iarscholarship@gmail.com



Next Generation Delivery Vehicle for Postal Service

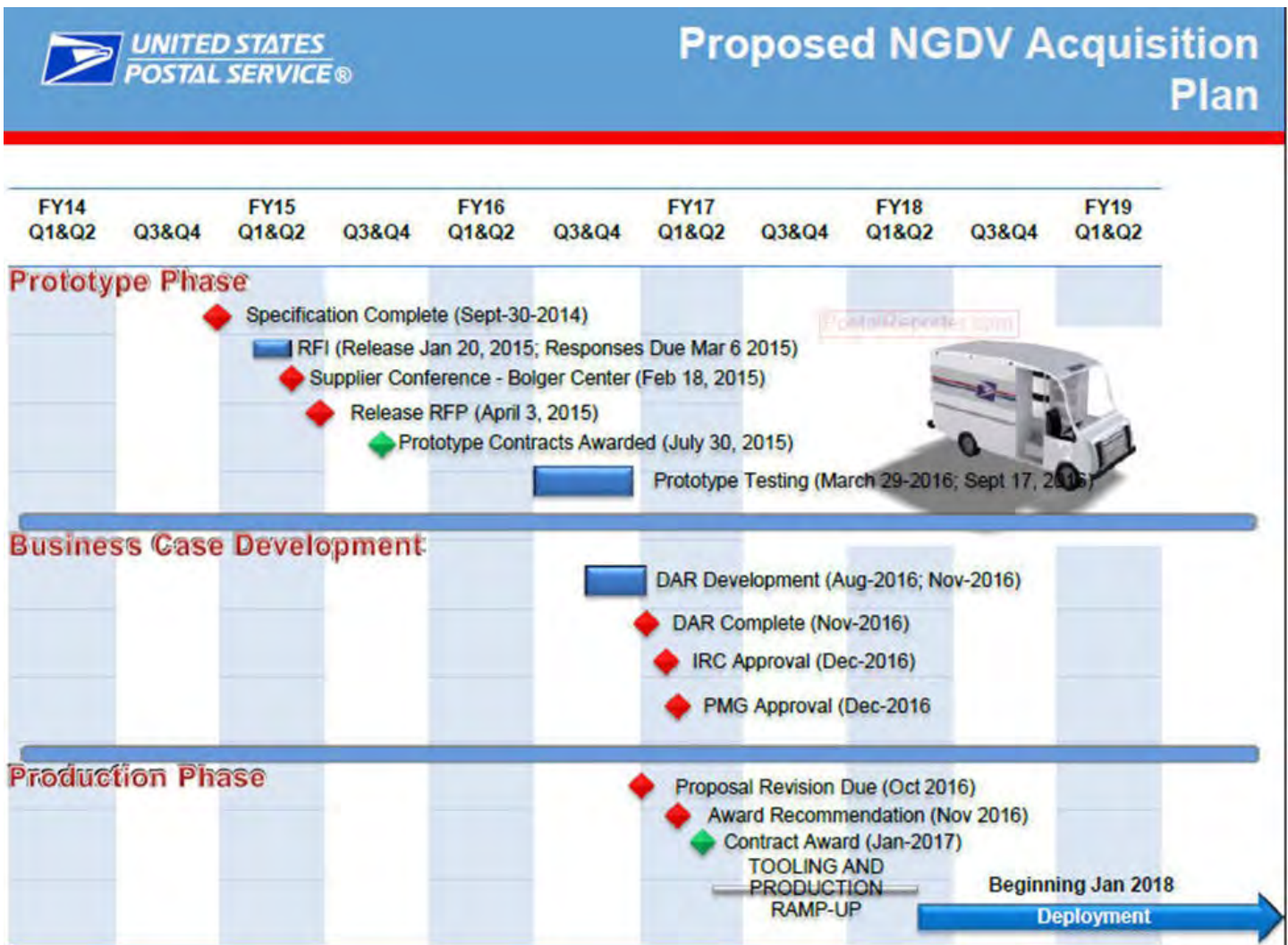
What Happens to the Old Fleet?

USPS awards LLV maker \$257 million contract for Walk In Body Delivery Trucks. In July 2015, USPS has awarded long-time supplier a contract for over 3,000 Walk In Body Intermediate Delivery Trucks. USPS selected Morgan Olson LLC, formerly Grumman Olson, located in Sturgis, Michigan to provide the vehicles at a cost of \$256,892,144.00.

More than a dozen companies, including many automakers, were interested in building the successor for what the Postal Service uses to transport letters to your mailbox. According to The Wall Street Journal,

15 firms made it to the first round of the U.S. Postal Service's bidding process to win a contract worth as much as \$5 billion and the purchase of 180,000 vehicles to replace the outdated Grumman LLVs that are rooted in 30-year-old General Motors truck technology. "Next Generation Delivery Vehicle" (NGDV) project represents the largest ever fleet replacement order in history. NGDV have an expected price of \$25,000 to \$35,000 per vehicle.

The Grumman LLV was specifically designed for the Postal Service with Grumman winning the contract for production. The main design points of the vehicle in



Next Generation Delivery Vehicle for Postal Service What Happens to the Old Fleet?

contract competition were serviceability, handling in confined areas, and overall economical operation. As its name suggests, the Grumman LLV is easily capable of twenty years of operation. The original design lifespan of the Grumman LLV specified by the U.S. Postal Service was 24 years, but in 2009 this was extended to thirty years. The body and final assembly is by Grumman, and the chassis (based on the 1983-05 S10 Blazer 2WD) is made by General Motors, with the powerplant (2.5L I-4 TBI "Iron Duke" and, in later production, General Motors 2.2L I-4 iron block/aluminum head engine), instrument cluster and front suspension similar to those used in the Chevrolet S-10 pickup. The Grumman LLV entered service in 1987. The USPS purchased over 100,000 of these vehicles, of which the last was purchased in 1994. Approximately 140,000 LLVs are in the USPS delivery fleet. A number were also sold to Canada, Mexico, and several other countries.

Because the United States Postal Service owns over 100,000 Grumman LLVs, of which the oldest are reaching the end of their lifespan, the USPS has been looking into replacing or retrofitting the LLVs. In fiscal year 2009, the USPS spent \$524 million to repair its fleet of Grumman LLVs, and estimated that it would cost \$4.2 billion to replace the entire fleet. In some areas LLVs have been replaced with minivans, which tend to be much more comfortable for postal workers, especially in extreme climates. Canada Post also adopted the Grumman LLV, but around 2008, it began studying whether to refurbish, upgrade, or replace its fleet. On March 18, 2010, Canada Post and Ford Motor Company announced that Canada Post would purchase a fleet of Ford Transit Connect vans.

The LLV had a unique footprint. The front wheels (based on the S10 2 wheel drive truck) had narrower spacing than the rear wheels (using the rear axle from the S10 4 wheel drive). The front of the vehicle also had low ground clearance. While this had advantages, there were trade-offs. The vehicle was tested successfully in warmer climates, but when actually used in places with substantial snowfall, they became difficult to control and were poorly adapted to those conditions.

In January 2015, the USPS released solicitation RFI-NGDV for the Next Generation Delivery Vehicle. Potential bidders had until March 5, 2015 to submit comments and pre-qualification responses. The USPS was to then select companies to receive the RFP for prototype development.

According to reports, in 1984, Grumman Olson designed and developed the now famous USPS Long Life Vehicle (LLV), which earned Grumman the largest non-military vehicle contract in U.S. History. At that time, Grumman Allied, the parent company of Grumman Olson, was contracted by the USPS to produce over a \$ billion prime order for more than 150,000 LLV's."Grumman, and now Morgan Olson, have provided continued support to the USPS to keep the aging fleet on the road well past the 20 year planned life of the LLV."

References:

<http://www.postal-reporter.com/blog/15-companies-bidding-to-make-next-generation-u-s-postal-service-vehicle/>
https://en.wikipedia.org/wiki/Grumman_LLV
<http://www.postal-reporter.com/blog/usps-awards-llv-maker-257-million-contract-for-walk-in-body-delivery-trucks/>



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DOT Shuts Down Two Des Moines Car Lots

Local News

The Iowa Department of Transportation shut down two used car lots on the east side of Des Moines after an investigation uncovered instances of fraud and theft. Paul Moyer, owner of Extreme Auto Plaza, has been charged with five counts of fraud and one count of theft. The DOT issued the revocation Wednesday, halting sales at Extreme Auto's two locations, 2214 E. 14th St. and 1453 E. 14th St.

Moyer, 48, is accused of not issuing salvage titles with cars he sold, as required by state law. Moyer told the Register on Thursday that he had sold refurbished vehicles with regular titles, but told the buyers the cars had been rebuilt after being totaled. He said he asked customers to sign a paper saying they were aware the vehicle they were buying was salvaged.

Paul Steier, director of the DOT's Bureau of Investigation and Identity Protection, said Moyer should have issued salvage titles so that subsequent owners would know the history of the vehicles. Signing a separate paper does not comply with state law, he said. "Oversight on a couple is one thing, but clearly this was intentionally being done," Steier said. Moyer also is accused of overcharging 123 customers for vehicle registration and title fees totaling more than \$11,000. The car dealer said he is negotiating a plea deal with the Polk County Attorney's office. He is scheduled to appear in court later this month. Moyer, who has operated the dealership at 2214 E. 14th St. for 20 years, said about 80 percent of the 300 to 400 cars he sells each year are salvage vehicles. The average price for a car sold at his lots is \$7,000 to \$8,000.

Steier said the DOT began investigating the business a year ago after a customer complained that a vehicle purchased at Extreme Auto Plaza did not have a correct title. The DOT executed a search warrant at the businesses last fall. Moyers said if he can't reopen his business for a year, "I will be stuck moving out of state" where he would work for someone else or start his own business.

<http://www.desmoinesregister.com/story/money/business/2015/10/08/moyer-des-moines-dealership-cars-salvage/73612660/>

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Industry News

EPA Revs Up Engine Emissions Enforcement Program

The recent news about EPA's enforcement action against Volkswagen for alleged noncompliance with EPA's emissions control requirements has shocked the vehicle industry and marks the beginning of an enforcement resolution process that has already severely impacted the company and its reputation, will take years to resolve, and could involve criminal prosecutions. The events are shocking because they involve a household name in the auto industry and a company long-regulated by EPA's mobile source emissions requirements. This case will no doubt draw a great deal of attention to the low profile regulation of mobile source emissions that relatively few business and attorneys are ever exposed to.

However, for the last decade or so, EPA has focused intense enforcement scrutiny on mobile sources, particularly those regulated engines and equipment imported from China. The bulk of these products have been off-road vehicles and equipment, such as ATVs, UTVs, off-road motorcycles, generators, and lawn and garden equipment. This initiative has caught numerous U.S. businesses off-

guard, particularly in the retail sector, as EPA has often chosen to pursue U.S. retailers of these products, due to the difficulty often encountered in pursuing Chinese companies. It has come as an unpleasant surprise to unlucky U.S. retailers that their vehicle, equipment, or engine supplier has failed to meet EPA regulatory requirements, and an especially rude awakening when EPA seeks to hold the retailer or distributor, rather than the manufacturer, liable for what may be viewed as the failings of the foreign manufacturers. More than one U.S. company has been driven out of business due to EPA's enforcement discretion for failures of the manufacturer and of a magnitude far less serious than the current allegations against Volkswagen. But such is the regulatory environment under the Clean Air Act for the mobile source emissions industry. Knowledgeable counsel, familiar with EPA's enforcement initiative targeting imported engines and equipment, may be able to assist entities with questions.

Reference: http://www.swlaw.com/attorneys/michael_ford
article by Michael Ford



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Industry News

Solera to be Acquired

Solera to Be Acquired by Vista Equity Affiliate

Solera Holdings Inc. agreed to be acquired by an affiliate of Vista Equity Partners in a deal valued at around \$6.5 billion, including net debt. Solera, a provider of software to the automobile-claims-processing industry, said Sunday that an affiliate of U.S.-based private-equity firm Vista Equity would buy all shares outstanding of Solera for \$55.85 each in cash, representing a premium of 53% over the company's closing share price of \$36.39 on Aug. 3.

"This transaction delivers immediate compelling value to our stockholders and represents a pivotal milestone for Solera in partnering with Vista," said Solera's founder and chairman, Tony Aquila. The deal came after Solera, based in Westlake, Texas, said

last month that it had set up a special committee to explore strategic alternatives. Solera said Sunday that the proposed merger had been unanimously approved by its board of directors and that it expected to close the deal no later than the first quarter 2016.

The company said financing for the deal would include a combination of common and preferred equity contributions by investment funds affiliated with Vista, Koch Equity Development and Goldman Sachs affiliate. **Solera is home to brands such as Audatex, CarweB, and AUTOonline, serving customers that include car-insurance companies, collision-repair facilities and independent assessors.** Tesla Motors Inc., for example, uses Solera's software to process collision-repair estimates and insurance claims at its collision-repair centers.



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ARA Updates

Industry news from the national association

New Chip Technology Mandates Need for New Credit Card Terminal

New credit card security policies will mean you need to be compliant with an EMV chip reading terminal. The acronym EMV stands for European Master Visa. This is a standard practiced in Europe for some time which helps stem credit card fraud. Here in the US, we are just now starting to replace the magnetic strip you see on the back of your credit card. These magnetic strips are easy to manipulate, copy and duplicate which can lead to fraud. These chips are not easy to manipulate and far less susceptible to fraud. If, by October 2015, you do not have a chip card reader YOU, not the bank, will pay for fraudulent cards accepted; previously, the bank absorbed that cost.

That being said, there are some options other than spending five hundred dollars for the new machines which many companies are charging. Now is the time to review your overall credit card practices. ARA's recommended processor, TSYS Merchant Solutions, can help. Call Paul Niss toll free at (888) 356-0001 to discuss your options.



Appeals Court Halts EPA Water Rule Nationwide

The AP (10/9, Flesher) reported that a three-judge panel of the 6th US Circuit Court of Appeals on Friday "blocked" the Environmental Protection Agency from implementing a provision of the federal Clean Water Act that "attempts to clarify which small streams, wetlands and other waterways the government can shield from pollution and development." The judges' 2-1 vote "put the regulations on hold nationwide" until the full court in Cincinnati rules on "whether it has jurisdiction to consider lawsuits against them." The EPA and the Army Corps of Engineers, which jointly promulgated the Waters of the United States, or WOTUS, rules, "said in a joint statement that they respected the court's decision and looked forward to defending the rule," the AP says.

Reuters (10/9, Rascoe) noted that the WOTUS provisions were finalized in May and quickly drew legal challenges to their implementation. The two 6th Circuit judges wrote in their majority opinion that issuing a stay of the rules "allows for a more deliberate determination whether this exercise of executive power ... is proper under the dictates of federal law." The story noted that a federal district court in North Dakota had already issued a preliminary injunction against the rules in August, although that applied only to the 13 states that sued to block WOTUS.

The Washington Times (10/10, Dinan, Wolfgang) described the decision as "a major blow" to the Administration, "undercutting the EPA's push to try to carry out the rule in the rest of the country." The Times explains the majority criticized the EPA's rule-making process "was 'facially suspect' because the agency" failed to open it to public comment and "also said there is no proof that American waters will suffer significant harm if the rule is put on hold."

Thanks Tom Snyder, Snyder Auto Body, Clarinda, Iowa for the submission!



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