



**AUGUST 2021** 

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

AN OFFICIAL FUBLICATION OF THE WASHINGTON DC, MANTLAND & DELAWARE SERVICE STATION & AUTOMOTIVE REFAIR ASSOCIATION

## **INSIDE THIS ISSUE:**

- >> OSHA's Safe and Sound Week
- >> Marketing Strategies Worth Your Dealership's Budget
- >> Right to Repair

President Biden
has signed an
executive order,
and the Federal
Trade Commission
has voted
unanimously, that
consumers should
have the Right to
Repair.

## **KIRK'S CORNER**

## Latest on Massachusetts Addition to Historic Right to Repair Law



By Kirk Mccauley, Director Of Member Relations & Government Affairs

**75% of Massachusetts voters** approved amendments to the existing law that would require auto makers to give vehicle owners the right to decide where electronic data (Telematics) would be sent. Alliance for Automotive Innovation a group that represents manufacturers filled an injunction to the amendment to keep the law from being enforced.

A Boston federal court judge says he will decide by August 20th after hearing Massachusetts petition to dismiss on July 21st. The Article link is below from Seyfarth Shaw.

Judge Promises to Render Prompt Decision as Massachusetts Right to Repair Trial Concludes | Seyfarth Shaw LLP

## **Executive Order**

President Biden has signed an executive order, and the Federal Trade Commission has voted unanimously, that consumers should have the Right to Repair. The FTC is working on new regulations for Right to Repair and submitted a report to congress.

Some of the issues will need congressional approval and some can be done by regulation. To that end it would not hurt to send an email to your federal congressman and senator asking them to support the recommendation that the FTC has identified and adding consumers right to decide who has access to the data your vehicle generates, through telematics.



While the wheels of the federal government turn slow, with presidential backing some of this could happen quickly via the FTC regulation that does not need congressional approval or a legislative bill.

You can go to the WMDA home page and click on legislative, click on the drop-down menu and select find my legislator. Simple and quick, click on the name and info on the contact will pop up. WMDA Web-Site: <a href="https://www.wmda.net">www.wmda.net</a>.



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Continued from page 1

## **FTC Recommendations**

FTC Report to Congress Examines Anti-Competitive Repair Restrictions, Recommends Ways to Expand Consumers' Repair Options | Federal Trade Commission

Nixing the Fix: An FTC Report to Congress on Repair Restrictions

The Massachusetts bill would open the door to other state legislative bodies, but a federal regulation and law would be the absolute best.

## **Dues Up to Date?**

While we are on CAR business, I would like to remind everyone that our program with Parts Authority for a rebate every six months is contingent on dues being up to date. Rebates are considerable and dues are \$299. Do not be left out!

## **District of Columbia Flavor Ban**

The tobacco and ESD flavor ban passed, along with a restriction on selling any ESD within a quarter mile of a middle or high school. While the mayor signed the bill and it now has a 30 day congressional review, it still must be funded. Under D.C. law any bill that takes money out of treasury (\$17 million) in this case, must have an alternate funding source.

The \$17 million has not been funded but I believe a budget hearing is coming up and they will tax something else to make up amount.

I think \$17 million over 4 years is way under what it will cost the D.C. government. More like \$40 million by the time you figure tax on lost sales including gas and inside store sales.

## Expo - Customer Service Contest -Awards Dinner 2021

October 26, 2021 will be the Expo date at Martins West and I look forward to seeing all of you there. Put it in ink that you will reserve that day and evening for catching up on technology and equipment on display, food and drinks, the awards dinner in the evening and a special keynote speaker, Secretary of Commerce and Republican candidate for Governor, Kelly Schulz. We are also securing a speaker to talk about the future of

carbon fuel, what it means to retailers, and repair facilities and possibly another Guest speaker to address the Repair shops specifically.

Our CAR committee is putting together a two-hour Car Summit/Roundtable and will be announcing speakers shortly. It will start at noon and be over as the Expo hall opens at 2pm. Lunch will be provided.

The Expo is free as is the CAR Summit/ Roundtable. Dinner tickets can be purchased online at <a href="https://www.wmda.net/events">www.wmda.net/events</a> along with Expo Registration.

The Customer Service Contest this year will be sponsored by all our suppliers and Parts Authority. We will have both traditional American and Halal food, desserts galore and drinks leaded and unleaded (Alcoholic and Non-Alcoholic)

I will need some repair facility nominations for CSC and suppliers will provide conventional stations and Convenience stores. Email me at <a href="mailto:kmccauley@wmda.net">kmccauley@wmda.net</a> to enter your repair facility or if you any questions.

This year we will cut down on the number of locations in each category and add a new award, "Giving Back to the Community" One award for members and one award for associate or supplier. Honoring our own for giving back to the community in these unprecedented times will be a delight.

## **Delaware**

Delaware is quiet. The minimum wage law does not go into effect until 2022. Their legislation session ended without any surprises.

## **Lead Wheel Weights in Maryland**

I have had two inquiries this month about lead wheel weight so I will say this. Lead wheel weights have been illegal to sell or install in Maryland since have January 1,2020. The bill passed in 2017 with a 2020 start date. I think with the pandemic a lot of shops forgot about the bill and maybe MDE did also with limited outside workers. I think they are back on the job. They will give a warning first time and up to a \$1,000 fine after that. Link to bill: <a href="https://mgaleg.maryland.gov/mgawebsite/Legislation/Details/HB0066/?ys=2017rs">https://mgaleg.maryland.gov/mgawebsite/Legislation/Details/HB0066/?ys=2017rs</a>

# WMDA/CAR ANNUAL EXPLOSE ANALYSIS DINNER 2021

## Tuesday, October 26, 2021 MARTIN'S WEST, 6817 DOGWOOD ROAD, BALTIMORE, MD

In Conversation with Industry Leaders | 12 pm - 2 pm (Exclusively for Auto Repair Businesses; Lunch Included)

**Expo | 2 pm - 6 pm** (Light lunch available 2:30 pm-4:30 pm)

Cocktail Reception | 5 pm-6 pm

Awards Presentation & Dinner | 6 pm - 8 pm

All American buffet and Halal options will be available.

Social Hour & After Party | 8 pm - 9 pm









FREE EXPO ADMISSION (2:00 p.m. – 6:00 p.m.)		
☐ I will attend the Expo. Please list names below: (Expo is Open to anyone in the automotive, c-store, service static	on and repair industry)	
Primary Contact:	Business Name:	
Guest Name:	Guest Name:	
Guest Name:	Guest Name:	
AWARDS DINNER TICKETS (6:00 p.m. – 9:00 p.m.)		
□ Individual Tickets\$65	x # = \$	
□ Table of 10 \$600 x # = \$		
CONTACT INFORMATION  Company:	Nailing Address:	
City: S	State:Zip:	
Phone: E	Email:	
DAVAGENT INFORMATION		
PAYMENT INFORMATION		
☐ Check Enclosed ☐ Visa ☐ MasterCard ☐ American Express	Total Amount Due \$	
Zip Code of Billing Address for Charge Card Account Name (print)		
Account #		
Expiration DateCVV Code	☐ Checking box is my Electronic Signature and payment authorization	

## **CAR TALK**

## Community Involvement



By Sandi Weaver BA Auto Care, Inc.

While scrolling through Facebook last night I came across a post about a fundraiser and the lady was asking if any local businesses would be willing put the flier out for customers to see. What caught my eye was it was being held at Hysteria Brewing, Bullhead Pit Beef and Lost Arc Distillery which are right across the street from our shop. Plus, it's helping raise fund for Curing Coats\*. Being in an industrial park, the addition of these companies has made it more of a community so anytime we can help a cause and join forces with our neighbors, we're in!

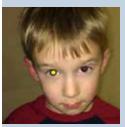
Not only are we able to support our neighbors, help a worthy cause, which feels pretty great but it also ended up being an advertising opportunity. I've now met the lady who's organizing the fundraiser (her son has Coats), a potential customer but she's also put us on the event's website.

Over the years we've helped various businesses, school and non profits by volunteering our time, donating money or item and offering our services to those in need. We do it because we care about our community and the people in it, the bonus is we get our name out there and build relationships.

What do you do for your community? We'd love to hear. ■

## **WHAT IS COATS DISEASE?**

Coats disease is a very rare eye disease that causes the blood vessels in your eye to leak, causing retinal detachment, blindness and – in extreme cases – the loss of your eye.



Coats can be discovered when taking a photo and the resulting image includes one yellow eye

and the other red. The yellow eye is the Coats Eye. To learn more or to attend the fundraiser, go to <a href="https://www.curingcoatsfundraiser.com">www.curingcoatsfundraiser.com</a>.

**Bullhead Pit Beef** is owned by Larry Jackson Jr. Larry owned a

gas station and was a WMDA member for years before changing course and



opening the Bullhead Pit Beef food truck. Now Bullhead has two locations (Columbia and Cross Street Market) and still travels with the truck offering the best pit beef around. Check out their website at <a href="https://www.bullheadpitbeef.com">www.bullheadpitbeef.com</a>.

Not only are we able to support our neighbors, help a worthy cause, which feels pretty great but it also ended up being an advertising opportunity.



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## **OSHA's Safe and Sound Week**

**Brought to you by AmeriTrust CONNECT** 

**Each year, more than 5,000 workers** are killed on the job. Additionally, more than 3.6 million employees are seriously injured each year while at work. Because of this, the Occupational Safety and Health Administration (OSHA) holds a nationwide event each August called Safe and Sound Week, which promotes the importance of companies incorporating safety and health programs into their workplace. This year, the event runs Aug. 9-15, 2021.

The event highlights employers' successful workplace safety and health programs. It provides program resources employers can use to keep their workers and workplace safe. Visit www.osha.gov/safeandsound/safety-and-health-programs to find the prepared resources. Some examples available are:

- Brochures
- Webinars
- Safety and health program course offerings
- OSHA safety and health program practice guidance

## **Why Participate?**

Employers that participate in the Safe and Sound event receive invaluable help from the resources provided when it comes to jumpstarting their safety and health programs. What's more,

businesses participating in the event have the opportunity to enhance their existing programs and share their safety successes with an audience. By participating in Safe and Sound, employers proactively engage in safety activities and programs, thereby increasing safety awareness and their ability to identify and reduce hazards.

## **Who Participates?**

Organizations of any size or industry looking to hone their safety awareness and get recognized for their commitment to safety are welcome to participate in Safe and Sound. Last year more than 3,400 businesses participated in Safe and Sound Week to raise awareness about workers' health and safety.

Business leaders are encouraged to share their commitment to safety and health with workers on a regular basis. They can do this by:

- Establishing a visible presence within the organization
- Delivering a safety and health message
- Publicizing their commitment to safety Some ways a business can get workers to participate include:
- Listening and asking for feedback
- Recognizing workers for their contribution to workplace safety
- Empowering workers with safety and health information

To get involved, employers can visit the Safe and Sound website and select activities to participate in. Once the event is over, the employer can download a certificate and web badge off the website to recognize their organization's and workers' participation. ■

Contact your AmeriTrust CONNECT team today for additional workers' compensation resources at (800) 726.9006 or get a quote at <a href="https://www.ameritrustconnect.com/association/wmda">www.ameritrustconnect.com/association/wmda</a>.

Occupational
Safety and Health
Administration
(OSHA) holds a
nationwide event
each August called
Safe and Sound
Week... the event
runs Aug. 9-15,
2021.



## WE EMPOWER



## **Four Paid Marketing Strategies Worth Your Dealership's Budget**

Brought to you by Netdriven

**Recently, we shared** eight free website strategies to boost your online performance. Now we are looking at the paid strategies that can take your website results even further. Every good website strategy should include a healthy marketing budget – whatever that may look like for the dealership.

Here are the paid marketing strategies that we believe are worth the investment - as well as some best practices to help you get your money's worth.

## **Search Engine Optimization**

SEO takes time to

build results and

which is why many

dealerships choose

bring revenue,

to partner with

a reputable SEO

jump right in.

expert so they can

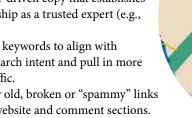
Any website worth its salt will be based on best practices for Search Engine Optimization (SEO) to help it gain traction and start building prominence. Initial SEO acts as a launch pad, but your website requires ongoing work to maintain - and increase - its momentum. After all, SEO is the act of aligning your website with search engine algorithms, and search engines continually update their requirements throughout the year.

Is additional SEO work worth the effort for your dealership? Well, 70% of online users click on organic links<sup>1</sup> and hold organic results in high esteem, which means that investing in your dealership's organic website presence will reflect well on your brand. In fact, SEO is the single biggest investment you can make for your website - averaging 44% of all revenue2.

SEO takes time to build results and bring revenue, which is why many dealerships choose to partner with a reputable SEO expert so they can jump right in. Results can also be achieved by the dealer if they have sufficient time to learn through trial and error.

Best practices for SEO:

- Focus on one area of your website at a time, starting with sectors that need the most improvement.
- Create value-driven copy that establishes your dealership as a trusted expert (e.g., blogging!).
- Use longtail keywords to align with shoppers' search intent and pull in more relevant traffic.
- · Remove any old, broken or "spammy" links from your website and comment sections.
- Pay attention to search engine updates past and present - to maintain your site compliance.



<sup>&</sup>lt;sup>1</sup>Search Engine Journal

<sup>&</sup>lt;sup>2</sup> Higher Visibility







## **Pay-per-Click Advertising**

Paid marketing is one of the fastest ways to build brand awareness and see an ROI on your marketing efforts. As the name suggests, Payper-Click ads are an SEM strategy that operates on a keyword bidding system, and you pay a prespecified amount only when your paid ad is clicked. These ads reside on search engines like Google and appear prominently in relevant search results.

One of the greatest strengths of paid advertising is its ability to apply shopper behavior to your ad strategy. In 2021, 76% of businesses still don't use consumer behavior data in their online marketing<sup>3</sup>, which means the field is open for dealers who take the initiative to tailor their ads to their prospects' actions. These actions include search history, frequently visited websites and purchase history.

Best practices for PPC advertising include:

- Set a budget in advance for your PPC ads – you can grow your budget over time.
- Identify your customer type (e.g., location, similar interests, demographic, etc.).
- Align your messaging with your audience type (e.g., educational for first-time buyers).

- Know your customers' pain points and target solutionbased keywords (e.g., "tire repair").
- Start with small campaign to test which ad types and messages resonate the most.
- Use analytics to gather data on ad performance and ROI for future campaigns.

## **Remarketing Ads**

Many shoppers don't make a website conversion the first (or second, third and so on) time they visit a website. About 97% of website visitors leave a website without converting<sup>4</sup>, and it's difficult to know which pages they viewed unless you can track their visit. Remarketing ads use



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<sup>&</sup>lt;sup>3</sup>SmallBizGenius

<sup>&</sup>lt;sup>4</sup> MailChimp

special coding on each webpage to track website visitors and send them relevant advertisements based on their visit.

Best practices for remarketing ads:

- Use responsive display ads to automatically adjust size and format to different screens.
- Tag specific user actions, such as adding an item to their cart, to trigger remarketing ads.
- Add personalized incentives (e.g., promo code or free shipping) for the products viewed.
- Upsell or cross-sell your existing customers through ads for relevant products and services.
- Analyze ad performances to track response by location, age, incentives and more.

## **Social Media Marketing**

Social media is one of the most influential virtual spaces for dealers who want to connect with prospects and existing customers. With so many available marketing tools, any dealer can find a cost-effective strategy that fits their budget and achieves significant results.

Facebook is a fantastic platform to reach niche audiences, as it offers superb audience targeted capabilities. Interestbased marketing is especially helpful to reach Facebook users who have demonstrated an interest in auto, tires, parts, repair services and more.

Best practices for social media marketing:

- Create custom audience lists for specific conversions.
- Use high-quality images to attract audience attention.
- Establish and maintain a consistent brand voice on ads.
- Study competing dealer accounts and their strategies.
- Post organically, too, to build up engagement and trust.

Investing funds into your online marketing doesn't automatically guarantee you will see the results you are hoping for. Success is achieved by choosing the marketing tools that fit your dealership's goals and budget, and then implementing best practices to enhance the campaign performance.

Do you have more questions about using paid marketing strategies to grow your sales revenue without overextending your budget? Net Driven's team of marketing experts can help. Connect with us today!

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## Promptly Clean Up or Warn About That Spill!

By James L. Parsons, Jr., Lynott, Lynott & Parsons, P.A.

**In my two most recent articles,** I reviewed cases addressing the potential liability of a store owner for crimes on business premises, and the obligation of the store owner to provide help or call for police or other assistance if a customer is injured or in danger. Store owners can also face potential liability for dangerous conditions in or around the store premises. Over the years, numerous lawsuits have been filed against store owners arising from slip and fall or other injuries sustained by customers on store premises allegedly caused by such things as wet floors, cracked or uneven floor tile, and carpets not affixed to the flooring.

The concept of premises liability for dangerous conditions was considered by the Court of Special Appeals of Maryland in the case of *Rehn v. Westfield America*, 153 Md.App. 586 (2003). In that case, the plaintiff (Rehn) broke his hip when he slipped on spilled soda near the service counter of the Chick-fil-A located in the food court of the Annapolis Mall. Westfield America (Westfield) was responsible for maintaining the area where Rehn fell, and had contracted with Interstate Cleaning Corporation (ICC) for those maintenance services.

It was undisputed that right after Rehn purchased a sandwich and drink at the counter, he took a small step and slipped on soda and ice that another customer had just spilled. The Chick-fil-A employee working at the counter testified at her deposition that she had served the other customer several sodas, and that shortly after leaving the counter, the other customer came back and told the employee that she had spilled her drinks. The employee saw the spill on the floor and immediately told another employee to notify Westfield of the spill. The employee also testified that the spill was on the floor for less than four minutes before Rehn slipped on the spill. The wet floor was not marked and Rehn did not see the spill before he fell. As

a result of the fall, Rehn's right hip fractured, requiring surgery. Rehn sued Chick-fil-A, Westfield, and ICC in the circuit

court for Anne Arundel County, and all three defendants moved for summary judgment before trial, arguing that they did not breach any duty to Rehn under the circumstances of the case. The circuit court agreed, and granted the motions. On appeal, the Court of Special Appeals of Maryland affirmed the circuit court's ruling.

In affirming the trial court's decision, the court reviewed the common law in Maryland related to premises liability. The court first pointed out that an "invitee" – a person on the property for a purpose related to the possessor's business (which would include a store customer) – is owed a duty of care to keep the property safe.

However, store owners "are not insurers of their customers' safety," and there is no presumption of negligence just because a customer is injured on the store premises. The customer has the burden to show that the owner had "actual or constructive"

...numerous
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not affixed to the
flooring.







knowledge" of the dangerous condition prior to the injury. When another customer creates the danger, the store owner may be liable if it has actual notice of the dangerous condition and a sufficient opportunity to either correct the problem or warn its other customers about it. The question of whether there is sufficient time for the owner to discover and cure or clean up a dangerous condition, or warn other customers about it, will depend on the circumstances of each case.

As to Rehn's claim against Chick-fil-A, the court noted that Chick-fil-A (through its employee) had notice of the dangerous condition before the accident. However, the court found that there was no evidence in the record from which a jury could reasonably find that the employee had sufficient time to do something that might have prevented Rehn's fall. In fact, the employee was in the act of notifying her co-worker when Rehn fell. Based upon the facts of the case, the court found that the jury would have to speculate as to how long Chick-fil-A knew about the spilled drinks, and how long it would reasonably take to respond, which was not a

permissible evidentiary basis to support liability. As to the claims against Westfield and ICC, the court noted that they did not have actual notice of the spill before Rehn slipped. As to whether they had sufficient time to clean the spill or warn other customers, the only evidence was the employee's testimony that the spill was on the floor for "less than four minutes," and the employee did not know how much less time elapsed, because she did not see the spill or the fall. The court found that no reasonable juror could rely on these facts to find that Westfield and ICC had enough time to discover and either clean up or warn about the spill. As a result, the decision of circuit court in favor of all three defendants was affirmed.

The lesson to be learned from the *Rehn* case is that a store owner owes a duty of ordinary care to its customers to keep the property safe. If a store owner is on notice of a dangerous condition (such as a spill, defect in flooring or carpet, etc.), the store owner must act with reasonable promptness to clean up or cure the condition, or warn customers about it. Even though the court in the *Rehn* case found that "less than four minutes" was not sufficient time,

there are other cases that have found that the question of whether the store owner had sufficient time to correct or warn of the condition is for the jury to decide. For example, in the case of *Daniel v. Moran Foods*, LLC, 2018 WL 3862232 (D. Md. 2018), a puddle on the floor that the plaintiff slipped upon was only on the floor for a minute and a half, and the court found that the question of whether the store had sufficient time to cure or warn of the condition was a jury question.

As with the cases addressing a store owner's potential liability for criminal activity on the premises and duty to assist or call for help that were discussed in my most recent two articles, the cases referenced above also highlight the need for proper training of employees. When dangerous conditions are discovered, prompt action must be taken to correct the problem or warn about it. Store owners should have "wet floor" stanchions or other warning devices readily available to mark the area of a spill or dangerous condition while it is being cleaned up or repaired. In addition, it is important to have adequate insurance in place to cover any such claims that may arise if accidents do occur.

## **LEGISLATIVE UPDATE**

## **Infrastructure Bill Update**



By Roy Littlefield IV

**On July 1, the House of Representatives** passed a five-year \$592 billion transportation reauthorization H.R. 3684, the "INVEST in America Act," along mostly partisan lines (Reps. Chris Smith (R-NJ) and Brian Fitzpatrick (R-PA) supported the bill) with a vote of 221 to 201. After five hours of debate on the surface portion of the bill 127 amendments were included largely along party lines. The bill provides or authorizes hundreds of billions for roads, bridges, transit, rail, plus non-transportation water above the \$592 billion. \$319 billion from the Highway Trust Fund

(HTF) was allocated for highways (exclusive of earmarks, NHTSA and FMCSA funds) and provides a significant increase over FAST Act levels. This funding level along with the five-year authorization period allows for the stability necessary for both industry and State transportation department planning and project delivery purposes. H.R. 3684 also makes a substantial funding increase for the Highway Safety Improvement Program which is vitally important to help drive down fatalities on our roadways and reduce that number toward zero deaths.

One of the biggest challenges remains how to pay for the highway bill. The INVEST Act includes a \$148 billion general fund bailout of the Highway Trust Fund (HTF) but it is not paid for at this time. Additionally, the legislation fails to extend the federal excise taxes that fund the HTF leading to the Highway Account of the HTF running out in 2024. The Mass Transit Account will remain solvent until the end of the bill's scope in September 2026.

The Senate Committees on Environment and Public Works (S. 1931) and Commerce, Science and Transportation (S. 2016) have both passed bipartisan titles for the Senate surface transportation reauthorization bill. It is still not known when

the Senate Committees on Finance and Banking, Housing, and Urban Affairs will pursue their titles. Senate Majority Leader Schumer (D-NY) continues to push for Senate action on infrastructure this July with the possibility that currently absent titles will be added on the floor without Committee action.

Meanwhile the White House reached a bipartisan infrastructure agreement on a \$1.2 trillion infrastructure framework with 21 Senators on June 24. The proposal provides \$579 billion in additional infrastructure spending above the current baseline including \$109 billion for roads, bridges, and major projects above the baseline. This agreement is still an outline of scope with proposed financing sources. House T & I Chairman Peter DeFazio (D-

OR) recently announced that he hopes to merge his highway bill legislation with the bipartisan infrastructure package. The Chairman remarked that it made sense to merge the INVEST Act, Senate EPW's S. 1931, and the bipartisan agreement into one bill and conduct an informal conference between the House,

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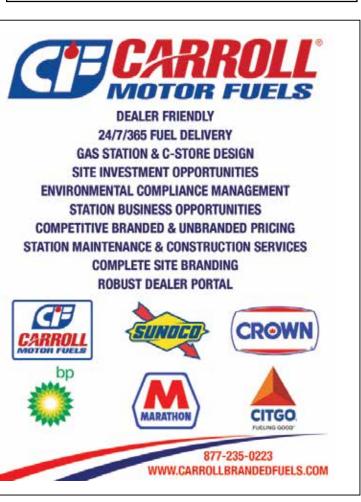


Senate, and the White House. At this point in time no decisions have been made.

SSDA-AT is hopeful that a bipartisan, bicameral process will move forward to ensure a long-term bill with strong highway funding will be signed into law before the September 30. SSDA-AT will continue to provide updates to its members as the process moves forward.

SSDA-AT supports a longterm infrastructure package. SSDA-AT opposes taxes that would have a negative impact on the service station and automotive repair industry. SSDA-AT is also opposed to turning 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. Additionally, SSDA-AT is opposed to LIFO repeal as a pay for in the bill and the privatization of roads, bridges, and tunnels. SSDA-AT believes there are a variety of other funding options available that would not be harmful to the service station and automotive repair industry including repatriation of overseas money. SSDA-AT strongly believes that all users of infrastructure must pay their fair share, not just the highway users.





## **EDITORIAL**

## **Right to Repair**



By Roy Littlefield III

**SSDA-AT, along with six other** aftermarket trade groups, sent a letter to the new chair of the Federal Trade Commission (FTC) on June 30 expressing appreciation to the FTC for findings and conclusions of the recently released report entitled "Nixing the Fix: An FTC Report to Congress on Repair Restrictions." The report highlights the barriers that face consumers when they seek independent repairs, including from independent motor vehicle service facilities.

The aftermarket groups state in their letter that "the report accurately describes the extensive breadth of problems vehicle owners face and recognizes that the commission can take certain steps relatively quickly without further statutory authority." The aftermarket trade groups included a list of recommendations that the commission could undertake immediately and also included suggestions for more substantive actions that may require congressional action.

The recommendations to the FTC included:

- Improve consumer education and compliance assurance with the Magnuson-Moss Warranty Act (MMWA), which prohibits the conditioning of warranties with the use of original equipment parts or service.
- Eliminate manufacturers' marketing practices that discourage the use of non-original equipment parts or services.
- Develop better enforcement tools that the commission can undertake to better ensure compliance with MMWA.
- Advocate for new legal authority that would expand the scope of MMWA to include commercial vehicles.
- Obtain legislation that would provide vehicle owners with access to data transmitted by their vehicle and provide them the ability to have that data made available to the independent repair shops where they have their vehicle repaired.

Following the letter, President Biden issued an executive order addressing right to repair concerns and repair barriers. Biden signed the order as part of a plan to boost competition across numerous sectors, from healthcare to the auto industry, online platforms, and consumer devices. The order also aims for better regulatory support for independent automotive repair shops.

Right to repair remains a top priority for SSDA-AT. The association has been working with other industry groups and the FTC on this initiative.

SSDA-AT thanks the administration for recognizing the importance of right to repair to ensure consumers have access to the repair shop of their choice.

The order is aimed at promoting competition in the United States and is sure to give a boost to the right to repair movement.

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News of the recent executive order are encouraging, and SSDA-AT is enthusiastic about the attention this is bringing to the issue. For years, SSDA-AT has pressed Congress for federal action with some interest but little movement.

SSDA-AT urges the Administration and the FTC to

take strong actions to reduce anti-competitive barriers to repair for our industry so that we can continue to service our customer's vehicles.

SSDA-AT will work with the FTC on the executive order, and we will continue to explore options for federal legislation that would support the motor vehicle owner's right to repair. Right to repair remains a top priority for WMDA/CAR members and a national law would provide for much needed clarity and direction in vehicle repair.

Recently Roy IV and I met with the FTC to discuss next steps. We will continue to update you on this topic. ■







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Be sure to check out these companies endorsed by WMDA/CAR.

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## INTELICOM, INC.

## **AUTO PARTS SUPPLIER**

## **Parts Authority**

Michael Ground 202-829-6315 mground@partsauthority.com



## CONVENIENCE STORE PRODUCTS

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## CREDIT CARD PROCESSING

## First Merchant Services

Dan Cohen 1-866-511-4367, ext. 105 dcohen@firstmerchant.us



## **ELECTRICITY PROGRAM**

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Tom Gussen 732-440-0031

tgussen@spragueenergy.com



## **LEGAL SERVICES**

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James L. Parsons, Jr. 301-424-5100 jparsons@llplawfirm.com



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Jamie Atkinson 800-423-3624 | 443-309-9929 cell jatkinson@reitlube.com





## WEBSITE DESIGN & MANAGEMENT

## **Net Driven**

1-877-860-2005 sales@netdriven.com



## WMDA/CAR LEGISLATIVE & REGULATORY INFORMATION

## WMDA/CAR

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## **WORKERS COMP INSURANCE**

## AmeriTrust Connect

Nicholas DiCarlo 800.825.9489

nicholas.dicarlo@ameritrustroup.com



## **LET YOUR MEMBERSHIP WORK FOR YOU!**

Simply participate in all of the programs for which you are eligible and you will save or make enough to pay for your membership in WMDA/CAR!



## Having a Voice – Representing Our Members

## Our Industry is facing not only the overwhelming effects of COVID-19 but issues that affect the core of our business.

- Maryland, Delaware, and District of Columbia belong to the Transportation Climate Initiative (TCI) with a goal of reducing carbon fuel use up to 30% by 2030.
- New cars manufactured are installing telematics in vehicles that only send information to their dealerships no option to the car buyer.
- Ban on menthol cigarettes (already a law in Massachusetts)
- California bans gas powered cars by 2035.
- Baltimore council member wants to ban new service stations in the city.

This sounds like a Steven Spielberg horror movie, but these are real issues that face our industry!

These issues will be or already are in the legislative process and will affect every business WMDA/CAR represents. Outside and inside sales, and car count in our shops. Legislators are looking to raising funds for their next election. They are also looking at supporters who provide those funds and support their efforts.

We are working hard to protect our members and associates and your contributions are essential to that process. The devastating effects of COVID -19 and combining that with real legislative issues that affect all our members is difficult to absorb but they are a real danger to our businesses.

## Now is the time to support the WMDA PAC and protect your business.

We suggest \$150 per location however, any amount is welcome. Please send contributions to: WMDA PAC 1532 Pointer Ridge Place, Suite F Bowie, MD 20716

You may direct any questions about legislation to Kirk McCauley at kmccauley@wmda.net.

Your fellow business owners and PAC officers, Rick Agoris, PAC Chairman Riaz Ahmad, PAC Treasurer

## **CONTRIBUTION RULES:**

- 1. Maryland currently is in a 4-year election cycle which began January 1, 2019 through December 31, 2022.
- 2. No individual or corporation can contribute more than \$6,000 to any single candidate or a state PAC over the 4-year election cycle. (The maximum contribution to the WMDA PAC cannot exceed \$6,000 in total during this cycle.)
- 3. Your contribution to WMDA PAC can be a personal or corporate check. Political contributions are not considered a business expense or tax deductible.