NOZZLE & WRENCH

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

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INSIDE THIS ISSUE:

At maturity Howard County would have the highest minimum wage in Maryland.

KIRK'S CORNER

Howard County Minimum Wage Alert

By Kirk Mccauley, Director Of Member Relations & Government Affairs

Howard County council members Opel Jones and Christiana Rigby have introduced a minimum wage bill CB82-2021 that is set for hearing November 15th at 7pm. Howard County members can send testimony or testify virtually or in person.

At maturity Howard County would have the highest minimum wage in Maryland. This bill should not affect our repair shops by much, if any, but would have a significant effect on 24/7 operations of c-stores and service stations. The link below takes you to the Howard County council website where you can read the bill in its entirety and information on testifying or sending written testimony.

Businesses in Howard County should also contact their county council members to ask for their support. Click on the link below, then on districts, and then click on the picture of your council person for contact information. WMDA/CAR will be submitting written to all council members.

Proposed minimum wage rate in Howard County

Employer with 15 or more employees	Employer with 14 or less
APRIL 1, 2022, $14	APRIL 1, 2022, $13
JANUARY 1, 2023, $15	JANUARY 1, 2023, $14
JANUARY 1, 2025, $16	JANUARY 1, 2024, $15
	JANUARY 1, 2026, $16

Read full bill
https://apps.howardcountymd.gov/olis/LegislationDetail.aspx?LegislationID=12879

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Definitions in code 28-4101 are so subjective that a business owner could be in violation and never know it. This could apply to a repair shop just as easily as a convenience store or service station with bays.

Continued from page 1

District of Columbia

District of Columbia Council Chairman has introduced a price gouging bill B24-0126 called "Seasonal Pricing Price Gouging Amendment Act of 2021". This act would amend the price gouging act that becomes effective when the mayor declares a state of emergency as happened in the health emergency concerning COVID.

This bill, as written, would require a judge to charge a maximum fine of $10,000 for every violation. Every sale in violation would be a separate act. If you sold 10 sodas and the price you charged was a violation under this act you would be fined $100,000 dollars. A judge would have no leeway. $10,000 per soda. B24-0126 link: https://lims.dccouncil.us/Legislation/B24-0126

Definitions in code 28-4101 are so subjective that a business owner could be in violation and never know it. This could apply to a repair shop just as easily as a convenience store or service station with bays. This is what you will see:

A) In the case of services, not more than 10% more than the price at which similar services were sold or offered in the Washington Metropolitan Area during the 90-day period that preceded an emergency that resulted from a natural disaster, if an emergency is declared pursuant to 28-4102

(B) In the case of merchandise, the price equal to the wholesale cost plus a retail mark-up that is the same percentage over wholesale cost as the retail mark-up for similar merchandise sold in the Washington Metropolitan Area during the 90-day period that immediately preceded an emergency that resulted from a natural disaster, if an emergency has been declared pursuant to 28-4102.

The wording in A for services and B for merchandise are so subjective that it puts a business owner in a very bad position. How do I know the percentage of markup another business has? How do I know if another business is performing service work to the same detail my business does, or what they charge? Makes you uneasy looking at enormous fines if you are wrong.

WMDA/CAR and MAPDA have a scheduled meeting with Chairmen Mendelson's policy advisor to go over this bill and I will keep you posted. We have been in touch with coalition partners as the bill applies to all businesses in District of Columbia.

MDE proposed Regulations

This morning WMDA/CAR and MAPDA had a 2-hour review of proposed regulations and a Q&A with the MDE oil control and staff. Suppliers also had their technical people in the virtual meeting. I do not think the changes in regulation will affect us much, as most were in practice already and are now incorporated in proposed regulations. Most of the changes for retail outlets we represent, is in operator training and the length between 3 party inspection. There is significant change to the UST& AST heating oil storage tank sector and to Marinas fueling points.

I was concerned about waste oil heaters that our members use but there is no change to waste oil you use in a heater. One thing to remember is you are not allowed to burn waste oil that has over 1,000 PPM halogen content, which has always been the regulations.

We will put together or ask one of our suppliers to put changes in simple terms of what is new. These regs will not go to public hearing (required) before January.

PG County Alert

PG county inspectors are starting to issue fines for not having recycling containers https://princegeorgescountymd.gov/534/Business-Recycling The law states equal size and amount of containers for recycling as you have for regular trash. I understand they are accepting 95 gallon rolling containers for trash enclosures that do not have enough room for 2 dumpsters. 2 trash cans on islands, you need 2 recycling cans, same for interior waste cans. Each container needs a recycling sign on the container. Download the sign https://www.princegeorgescountymd.gov/2641/Recycling-Toolkit This has been law since July 1,2019. You can read a copy of the bill below:

Read the law and applicable code

Dealer Greg Kulick had good input. PG recycling came by Glenn Dale a couple of months ago and gave us 30 days to correct. I bought a couple blue cans from Lowe's and bought recycle stickers from Amazon. We were told we are good for a year, as that is their normal inspection cycle. He purchased blue containers for inside and outside. ■

ELECTION 2022:
WMDA/CAR PAC needs funds to Participate

Governor, Attorney General and Comptroller, along with delegates and senators are up for election in Maryland.

- **Ban on menthol cigarettes** in District of Columbia means there will be copycat bills in Maryland and Delaware this year.
- California **bans gas powered cars** by 2035, will MD, DE, or DC be next?
- Baltimore council members want to **ban new service stations** in the city, ban plastics, Styrofoam & sugary drinks. They have shut down many retailers with pad locks on doors, blaming business for crime. Police are telling our retailers you are on your own, hire security guards. They need to focus on crime, not plastic bags. The absurdity of actions like this underscores the need for new legislators.
- Labor and employee bills in all three jurisdictions would add thousands of dollars in **payroll cost** per year. While we have been successful in stopping or amending most bills, they will all be back this year.
- **Right to Repair** – New cars manufactured are installing devices in vehicles that send information over wireless networks to dealerships automatically.

As absurd as some of these bills are, they are real and affect all our members. These issues will be or already are in the legislative process. We need legislators who support retail business, do not be on the side lines.

Support your PAC and PROTECT your business.

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

Your fellow business owners and PAC officers,

Rick Agoris, *PAC Chairman*
Riaz Ahmad, *PAC Treasurer*

WMDA PAC Political Action Committee

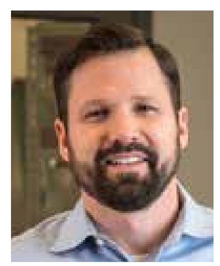
In Conversation with Industry Leaders

By Sandi Weaver
BA Auto Care, Inc.

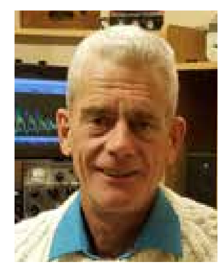
Before the Expo and Awards dinner on October 26th, we were fortunate to have a intimate discussed with Aaron Stokes of Shop Fix Academy, Gary Smith of Diagnation and Bryan Stache of ATI. Others included were Billy Hillmuth of Hillmuth Certified Automotive and Ken Quasney of Auto Sense. What made this so enjoyable was the ability to ask these leaders questions that concerned the audience, WMDA/CAR members. While it was a small group of attendees, it made for easy conversation and topics discussed were what shop owners who attended wanted to know more about.

Our goal for this session was to learn what members are interested in and how, not just the leaders could assist them but also for WMDA/CAR could in the future.

Our goal for this session was to learn what members are interested in and how, not just the leaders could assist them but also for WMDA/CAR could in the future. Topics discussed were shortage of high level technicians, a common topic but was wonderful to hear so many members in attendance have apprentices and are taking the shortage into their own hands by training new technicians themselves. Another question was on changing from general repair to a specialized shop. A topic not before discussed and was very interesting to hear Aaron Stokes' opinion on.



Aaron Stokes
Shop Fix Academy



Gary Smith
DiagNation

Bryan Stasch
ATI

While we try our best of offer sessions and training on what we feel is important to members, we know what one shop is struggling with isn't always what other shops consider so. But then again, it may also turn out that others are very interested and aren't sure it's a relevant topic until discussed. How can WMDA/CAR improve on classes and sessions offered? We hoped by having this conversation and opening it up to questions and comments from members in attendance we'd gain some insight. While a few topics were different than what usually comes up, we still want to hear what is important to you at your shop.

Thank you to those who attended the In Conversation with Industry Leaders and we hope you were able to ask what was on your mind or at least, walk away with a little more knowledge in another area of concern to you. ■

NEW! AmeriTrust CONNECT Online Policyholder Dashboard Helps Save Time & Money

Brought to you by AmeriTrust CONNECT

We are honored to serve as a trusted partner to WMDA by adding value to the endorsed benefit provider program through the delivery of workers' comp insurance and services.

AmeriTrust CONNECT workers' comp policyholders now have 24/7 online account access to workers' comp policy information, online payment processing, a robust small business resource library, and more.

Check out these industry-leading resources you will have online access to once you become a policyholder:

AmeriTrust CONNECT Policy Information

- View, print and download coverage details
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- Articles, posters, pamphlets, etc.
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- Safety guides and OSHA reporting tools
- Industry and State specific content

Human Resource and Compliance Modules such as:

- ACA Reporting
- FMLA Advisor
- Federal Poster Advisor
- Multi-State Laws Comparison Tool
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- Custom Job Description Builder
- Employee Cost Calculator
- In-Person Interview Question Builder
- Sample Job Descriptions
- OSHA Log

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If you are not an AmeriTrust CONNECT workers' comp policyholder and would like to receive a quote, you can get your online quote in minutes at www.AmeriTrustCONNECT.com/WMDA.

WMDA/CAR 2021 EXPO & AWARDS

OCTOBER 26, 2021

MARTIN'S WEST

BALTIMORE, MD

The Expo featured a diverse selection of products and services for service stations, repair shops, C-stores, car washes, and co-branded stations.

WMDA/CAR 2021 EXPO & AWARDS

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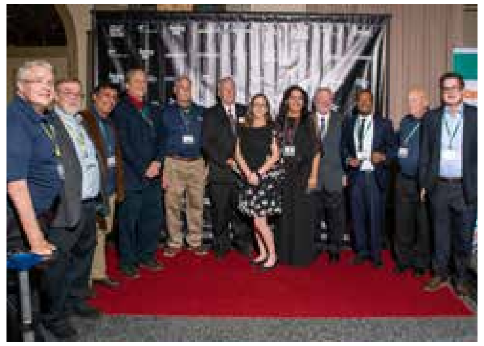
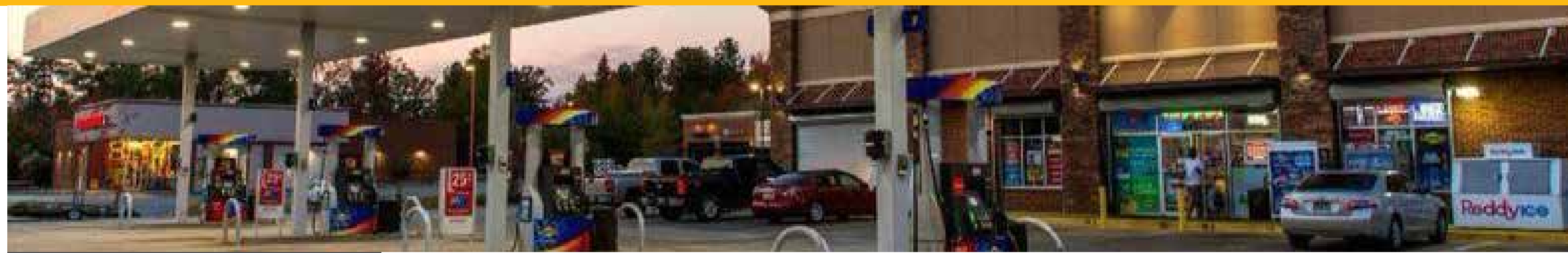




Can A Tenant Be Relieved of Its Obligation to Pay Rent?

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

...many tenants may still find themselves at the receiving end of a lawsuit filed by their landlord for unpaid rent.

The pandemic has undoubtedly had an affect upon the retail industry, to the point where the downturn in business activity has left many commercial tenants without sufficient income to pay their rent. Despite the many federal and state programs available to assist tenants during the crisis, and the concessions/accommodations offered by many landlords, many tenants may still find themselves at the receiving end of a lawsuit filed by their landlord for unpaid rent. These tenants may attempt to defend such lawsuits under the legal doctrines known as "frustration of purpose" and "impossibility of performance" due to the government shutdowns that occurred during the pandemic. A recent case out of New York (*A/R Retail LLC v. Hugo Boss Retail, Inc.*, 72 Misc.3d 627 (Sup.Ct., New York County 2021)) suggests that these defenses may be unavailing, depending upon the language of the tenant's lease and the factual circumstances involved.

In the *Hugo Boss* case, Hugo Boss Retail, Inc. ("Hugo Boss") had signed a long term commercial lease for a store at The Shoppes at Columbus Circle in Manhattan. After government restrictions issued as a result of the pandemic mandated closure of retail stores in New York for several months, Hugo Boss fell substantially behind on its rent payments. The landlord sued Hugo Boss for unpaid rent, and Hugo Boss filed a separate action against the landlord alleging several claims, including claims to rescind the lease based upon the doctrines of frustration of purpose and impossibility of performance.

In its opinion, the court began by noting that similar cases have "flooded" the New York and federal courts over the last year. The court recognized that the pandemic had taken a significant toll on the tenant's business, but also noted that the government restrictions relating to the pandemic had eased over time. The court stressed that the language in the lease was controlling, and focused on the fact that the lease provided for accommodations in the event that performance was impacted by government restrictions, without providing for termination of the lease under those circumstances. The court acknowledged that enforcement of the rent provisions in the lease during the pandemic would be a "harsh result," but equally as harsh would be the "mass rescission of commercial leases, assigning all risk of the pandemic to property owners who face their own unrelenting expenses and economic burdens."

Frustration of Purpose

In considering the tenant's claim for rescission of the lease based on frustration of purpose, the court first recited New York case law describing the "narrow" doctrine, which applies only "when a change in circumstances makes one party's performance virtually worthless to the other, frustrating the purpose in making the contract." Under New York law, the doctrine is not available merely because the transaction will be less profitable to an affected party, even if that party will sustain a loss. In addition, frustration of purpose is not available where the event that prevented performance was foreseeable. It is also not available if the parties addressed the event that prevents performance in their agreement (i.e., the lease).

Against that backdrop, the court referenced a number of New York cases that have held that the temporary and evolving restrictions on businesses due to the pandemic do not warrant rescission or other relief based on the doctrine of frustration of purpose. The court pointed out that, while the pandemic included a temporary shutdown followed by an evolving set of capacity restrictions, it did not eliminate the tenant's ability to generate income. The court also relied on the force majeure provision in the lease which included specific language that addressed government restrictions. The court found that the inclusion of that language in the lease meant that the parties knew that such restrictions were foreseeable, thereby rendering the doctrine of frustration of purpose unavailable to the tenant.

Impossibility of Performance

The court also rejected the tenants claim for rescission of lease based upon the doctrine of impossibility of performance. Once again, the court began its analysis by reciting New York case law, which holds that "[i]mpossibility excuses a party's performance only when the destruction of the subject matter of the contract or the means of performance makes performance objectively impossible." As with the frustration of purpose defense, financial difficulty or economic hardship alone will not make the impossibility doctrine available, and the foreseeability of the event that caused the hardship will bar the doctrine as an excuse for non-performance. Under New York law, if performance is possible, but not profitable, the excuse of impossibility is not available.

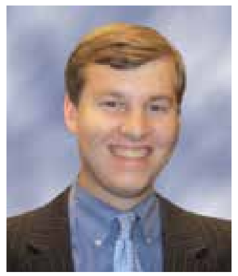
The court also cited several New York cases that have held that the impossibility defense is not available as an excuse for non-payment of rent based upon financial hardship resulting from the pandemic. A line of reasoning from those cases is that if the tenant's store is still intact, and the tenant is permitted to sell its products, then the fact that it cannot sell enough to pay the rent does not allow for the application of the impossibility doctrine. The court in the *Hugo Boss* case also found (as with the frustration of purpose defense) that the language in the force majeure provision of the lease that specifically referenced government restrictions meant that those restrictions were foreseeable, barring the application of the impossibility defense.

Conclusion

The outcome of the *Hugo Boss* case was based at least in part on the force majeure clause in the lease that specifically addressed government restrictions, which led the court to conclude that the actual shutdowns were foreseeable. Many force majeure clauses in commercial leases include specific language stating that, although performance will be excused during a force majeure event, rent must still be paid. There do not appear to be any reported appellate cases in Maryland addressing this subject as of this writing, but it is anticipated that there will be a "flood" of such cases now that the restrictions related to the pandemic appear to be relaxing. Maryland cases that have addressed these doctrines outside of the pandemic context also recognize that foreseeability of the event giving rise to the harm will bar the application of the frustration of purpose defense, and that the lack of any profit does not make performance under a contract impossible. Whether courts in Maryland will follow the same logic of the courts in New York remains to be seen. While the outcome in such cases will depend on the language in the lease and the circumstances of each case, if the *Hugo Boss* case is any indication, it would appear that the tenant's defenses based upon frustration of purpose and impossibility of performance may be unavailing. ■

LEGISLATIVE UPDATE

House Passes Historic Infrastructure Bill



By Roy Littlefield IV

...Congress has passed this vitally important bill that will make historic investments in roads and bridges, improve roadway safety, and make our roads more reliable and dependable for all highway users.

On November 5th, the House of Representatives passed the "**Infrastructure Investment and Jobs Act (IIJA)**," with a bipartisan vote of 228 to 206. The IIJA now heads to the President's desk for his signature. After tumultuous months of negotiation, and procedural and political debates Congress has passed this vitally important bill that will make historic investments in roads and bridges, improve roadway safety, and make our roads more reliable and dependable for all highway users. WMDA/CAR is very thankful to all our members who engaged to get this bill across the finish line.

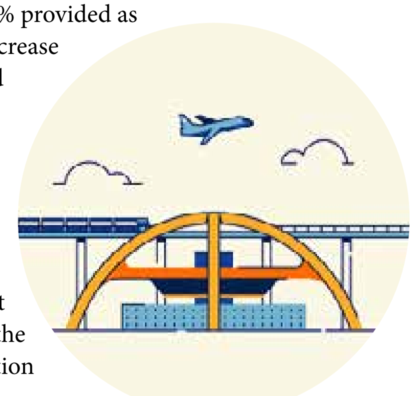
The IIJA will provide **$550 billion in spending above budget baseline over five years** and includes the text of **S. 1931**, the Senate Environment and Public Works Committee surface transportation reauthorization bill that passed the Committee in May, which the WMDA/CAR strongly supported.

The bipartisan infrastructure legislation includes increases for highway funding via formula, increases roadway safety investment, important streamlining provisions, significant bridge investments, and preserves flexibility to invest in both new capacity and improvements to existing roadways.

The IIJA also includes the **Surface Transportation Investment Act**, passed by the Senate Committee on Commerce, Science, and Transportation with bipartisan support, as well as the Senate-passed Drinking Water and Wastewater Infrastructure Act and the Energy Infrastructure Act, which received bipartisan support in the Senate Committee on Energy and Natural Resources.

Key Funding Highlights:

- **Highways** – $351 billion for highways over five years from the Highway Trust Fund (HTF) and General Fund ($307 billion or 90% provided as formula apportionments to states.) This is a 34%increase in highway elements from the Highway Trust Fund over funding levels in the Fixing America's Surface Transportation Act (FAST Act).
- **Transit** – $91 billion
- **Highway Safety (NHTSA/FMCSA)** – $12 billion
- **Passenger Rail** – $66 billion
- **Bridge Investment Program** – Provides **$12.5 billion over five years** for a new Bridge Investment Program that funds competitive grants to address the nationwide backlog of bridge repair and rehabilitation projects.
- **Bridge Formula Program** – Appropriates **$27.5 billion for a new bridge formula program** to provide funding to States and Tribal governments to repair and rebuild bridges.
- **INFRA Funding** – Provides **$8 billion** over five years for the National Significant Freight and Highway Projects Program, known as "INFRA." INFRA provides competitive grants for highway, bridge, and multimodal freight projects of national and regional significance.
- **Safe Streets and Road for All** – Provides $5 billion and establishes a new grant program for metropolitan planning organizations, local governments, and Tribal governments to develop and carry out comprehensive safety plans to prevent death and injury on roads and streets, commonly known as "Vision Zero" or "Toward Zero Deaths" initiatives.



Climate Change and Resilience:

- **Reducing Carbon Emissions from Transportation** – The IIJA establishes a new Carbon Reduction Program that will distribute approximately **$6.4 billion over five years** to States by formula to invest in projects that support a reduction in transportation emissions. Eligible projects include transportation electrification and EV charging, public transportation, including Bus Rapid Transit, infrastructure for bicycling and walking, intelligent transportation systems (ITS) improvements, infrastructure to support congestion pricing, diesel engine retrofits, and port electrification.
- **PROTECT Resilience Grants** – Creates a new Promoting Resilient Operations for Transformative, Efficient, and Cost saving Transportation (PROTECT) grant program, which provides formula funding to States and competitive grants to eligible entities to make our surface transportation infrastructure more resilient, including through the use of natural infrastructure, to the effects of extreme weather and natural disasters. Provides **$7.3 billion** in formula funding and **$1.4 billion** in competitive grants over five years funded from the HTF.
- **Electric Vehicle Charging** – $5 billion over five years for a State formula program for EV charging infrastructure deployment.
- **Port Truck Emissions Reduction Program** – Provides **$400 million** to reduce air emissions from trucks idling at port facilities.
- **Healthy Streets** – Authorizes a new Healthy Streets Program for eligible projects, including projects that mitigate urban heat islands, improve air quality, and reduce stormwater runoff.
- **Resilience and Adaptation Centers of Excellence** – Authorizes the creation of new Resilience and Adaptation Centers of Excellence, which will advance research to help make surface transportation infrastructure more resilient to natural disasters and extreme weather.

Supporting Rural America & Tribal Communities

- **Rural Surface Transportation Grant Program** – Invests in rural America by authorizing **$2 billion** over five years for a new competitive grant program to improve and expand the surface transportation system in rural areas.
- **Tribal Transportation Projects** – Authorizes nearly $3 billion over its five years for the Tribal Transportation Program, ensuring that tribes will have

greater access to funding for surface transportation projects throughout Indian Country.

Enhancing Safety and Equity for All Road Users

- **Reconnecting Communities Pilot Program** – Provides $1 billion over five years for a new pilot program that provides competitive grants for planning and projects to remove, retrofit, or mitigate existing highways that were built through neighborhoods and created a barrier to mobility and economic development.
- **Highway Safety Improvement Program ($15.6 billion over 5 years)** - Provides States with the ability to flex 10% of their HSIP funds to behavioral projects and includes a new special rule to provide targeted funding to address the safety needs of vulnerable road users under certain circumstances. If vulnerable road users in a State represents not less than 15 percent of the total annual crash fatalities in the State, that State shall be required to obligate not less than 15 percent of their HSIP funds for the following fiscal year for projects to address the safety of vulnerable road users. This section also directs the Secretary to update the study on high-risk rural roads. And sets aside $1.3 billion over five years for the Railway-Highway Crossing Program.
Note: WMDA/CAR continues to be concerned with flexing HSIP funds to non-infrastructure programs as they have their own funding sources. The bill allows for 10% flex. We are very pleased with the increase in funding for the HSIP overall.
- **Transportation Alternatives** – The bill increases funding for the Transportation Alternatives Program (TAP), which funds bicycle and pedestrian projects among other projects, through a 10 percent set-aside of the STBGP.
- **Safe Routes to School** – Codifies the existing Safe Routes to School Program, which encourages children to safely walk or bike to school and amends it to apply the program through 12th grade.
- **Complete Streets** – Requires State and metropolitan planning organizations to spend a minimum amount of funding for either the adoption of complete streets standards and policies, development of a complete streets prioritization plan, active and mass transportation planning, regional and megaregional planning to address travel demand through alternatives to highway travel.
- **Reducing Wildlife-Vehicle Collisions** – Authorizes $350 million over five years for a new pilot program that provides competitive grants for projects that reduce wildlife-vehicle collisions.

Streamlining Provisions:

- **Codifies One Federal Decision policy**, which establishes a two-year goal for completion of environmental reviews for infrastructure projects. Also seeks to ensure environmental review documents remain under 200 pages.
- **Improving Federal Agency Coordination** – Allows federal land management agencies to use an environmental document previously prepared by the Federal Highway Administration (FHWA) for a project addressing the same action, and also allows for a federal land management agency to use the categorical exclusions listed in the implementing regulations of FHWA.
- **Improving Accountability** – Directs the USDOT to carry out a process to track, and annually submit to Congress a report containing the time to complete an environmental impact statement and an environmental assessment under the National Environmental Policy Act.

Other Provisions of Note:

- **Clean School Buses and Ferries** – $7.5 billion
The bill includes a historic amount of funding, $5 billion, for the replacement of existing school buses with clean school buses, with a priority on low-income, rural, and Tribal schools. $2.5 billion of this funding will be for zero-emission school buses and $2.5 billion will be for zero-emission school buses and other buses that run on alternative fuels.
- **Buy America**
  - Expands Buy America to construction materials, which must be "produced in the United States."
  - Requires review of general waivers to the program.
  - **Exempts cement and cementitious materials, aggregates such as stone, sand, or gravel or aggregate binding agents or additives** from the definition of construction materials.
  Note: WMDA/CAR supported this language pertaining to the exemption.
- **Safety Contingency Funds:** Provides the opportunity for contingency funds that can be used to improve safety in work zones prior to, or during construction. Allows for a Federal share payable of up to 100% for these funds. *Note: WMDA/CAR supported this effort.*
- **Vulnerable Roadway Users** – Drives policy changes in the bill to protect vulnerable road users such as pedestrians, bicyclists, and people with disabilities.
- **MUTCD** – Requires updates to the Manual on Uniform Traffic Control Devices within 18 months of enacting the bill and then no less than every three years thereafter. It also expands the focus to cover vulnerable road users, the safe testing of automated vehicle technology, and minimum retroreflectivity of traffic control devices and pavement markings. And allows local jurisdictions to utilize their own design guide if accepted by the FHWA.
- **Safety Clearinghouses** – Provides $3.5 million per year from fiscal years 2022 through 2026 for Operation Lifesaver, work zone safety grants, and safety clearinghouses. ***Note: This is where the Roadway Safety Foundation has received the bulk of its funding from historically.***

Highway Trust Fund: Includes a $118 billion general fund transfer to the Highway Trust Fund. $90 billion will be deposited into the Highway Account and $28 billion will be deposited into the Mass Transit Account. This transfer was expected as a Highway Trust Fund fix remains elusive. ■

EDITORIAL

Infrastructure Funding

By Roy Littlefield III

When President Biden proposed a major infrastructure bill of $1.2 trillion, a number of proposals circulated on Capitol Hill as to how to pay for this much needed legislation.

WMDA has been on record to oppose unreasonable and unfair proposals that would:

- Reinstate the Federal Excise Tax (FET) on passenger tires;
- Reinstate the FET on tread rubber used in the retread process;
- Raise the FET on tread rubber;
- Increase the FET on truck tires;
- Raise the FET on trucks and truck parts;
- Adopt a vehicle miles traveled tax;
- Raise the tax on motor fuel;
- privatize up to 47,000 miles of the interstate system (resulting in new or higher tolls);
- Repeal the Last In First Out accounting system with the one-time hit of over $107 billion going towards the infrastructure funding.

President Biden recently announced that he does not support increasing current industry excise taxes to remain consistent with his pledge not to raise taxes on motorists earning less than $400,000 per year. Rather than raising excise taxes, the President proposed the following $519 billion in spending payfors:

- $53 billion from certain states' unused enhanced federal UI supplements (Source: CBO estimate)
- $67 billion in unused savings from the COVID-19 employer retention tax credit that CBO projected would be utilized and were not, minus the impact of sunsetting the credit (CBO letter)
- $106 billion in unused savings from COVID-19 paid & family leave tax credits that CBO projected would be utilized and were not (CBO letter)
- $51 billion from delaying Medicare Part D rebate rule (Source: CBO score)
- $21.4 billion in rescissions in unused funding from 2020 COVID bills (Source: CBO score)
- $10.2 billion from sales of future spectrum auctions (Source: CBO score)
- $67 billion from proceeds of the February 2021 c-band auction (Source: CBO estimate)
- $53 billion in economic growth resulting from a 33 percent return on investment in these long-term infrastructure projects (Source: CBO analysis)
- $28 billion from clarifying the application of information reporting requirements for cryptocurrency (Source: JCT score)
- $21 billion from extending fees on GSEs (Source: CBO score)
- $14.5 billion from reinstating certain Superfund fees (Source: JCT score)
- $8.7 billion from extending the mandatory sequester (Source: CBO score)
- $6.1 billion in sales from the Strategic Petroleum Reserve (Source: CBO score)
- $6.1 billion from extending customs user fees (Source: CBO score)
- $3.2 billion in savings from reducing Medicare spending on discarded medications from large, single-use drug vials (Source: CBO score)
- $2.9 billion from extending available interest rate smoothing options for defined benefit pension plans (Source: JCT score) ■

President Biden recently announced that he does not support increasing current industry excise taxes...

WMDA/CAR ENDORSED MEMBERSHIP BENEFITS & SERVICE PROVIDERS

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

AUTO PARTS SUPPLIER

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

CONVENIENCE STORE PRODUCTS

Century Distributors, Inc.
Lori Rodman
301-212-9100
lrodman@centurydist.com

CREDIT CARD PROCESSING

TalusPay
Dan Cohen
1-866-511-4367, ext. 105
dcohen@taluspay.com

ELECTRICITY PROGRAM

Sprague Energy (MAAGIC)
Tom Gussen
732-440-0031
tgussen@spragueenergy.com

LEGAL SERVICES

Lynott, Lynott & Parsons, P.A.
James L. Parsons, Jr.
301-424-5100
jparsons@llplawfirm.com

OIL BUYING PROGRAM

REIT Lubricants Company
Chevron/Havoline
Jamie Atkinson
800-423-3624 I 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
Kirk McCauley
301-390-0900, ext. 114
kmccauley@wmda.net

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!