

# NOZZLE & WRENCH

WMDACAR

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- >> Can You Copyright Your Website?

*"It's not over until it's over..."*

## KIRK'S CORNER

# The Clock is Ticking to Sine Die 2025



By Kirk McCauley, Director Of Member Relations & Government Affairs

**Maryland is looking to bleed everyone** through fee increases and added taxes. Delaware is looking at gas and tobacco tax increases. You have heard that saying "it's not over until it's over," and that surely applies to this year's legislation, as I expect changes up to the last second.

In Maryland we have 63 bills we are tracking, bills that affect Gas, convenience, and repair members.

- Labor, managers' salary, employees leave, employee classification, exemption from overtime pay, minimum wage, A.G. office with ability to audit you at any time.
- Right to Repair,

bi-annual vehicle inspection.

- Changing insurance law, eliminating current limits on non-economic damages, this bill, if passed, would raise premiums on all your insurance running into thousands of dollars.
- Recycling bottles sounds okay, but the devil is in the details.
- ATCC, ESD and tobacco products, who can sell and who can enforce regulation.s
- State lottery. Third party vendor and selling subscriptions online, what we can now sell and receive commission on.
- Then there is the Budget Bill that looks to cover all the sins and free spending the legislators and Governor Moore have done and what it means to our members.

The clock is ticking toward sine die or last day of 2025 legislation in Maryland, April 7th. WMDA/CAR will work this session until the last hour, when bills will be voted on until midnight on the 7th.

General membership meeting is on the 9th of April, all will be told, and outcomes will be known. Do not miss this meeting, Participation is what helps us, help you. You also get a free breakfast to boot. Please register today & we look forward to seeing you all! [www.wmda.memberclicks.net/gmm25](http://www.wmda.memberclicks.net/gmm25) ■

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## 2025 CALENDAR

- APRIL 9                   **GENERAL MEMBERSHIP MEETING** at Nautilus Diner, Crofton, MD
- JUNE 10                 **7TH ANNUAL GOLF OUTING** at Renditions
- SEPT. 29               **MAFCAS 2025** at Maryland Live

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# Health Care Decisions: The Advance Directive

Brought to you by [Lynott, Lynott & Parsons, P.A.](#)

*Advance directives can ensure that an individual's personal choices regarding their health care are carried out.*

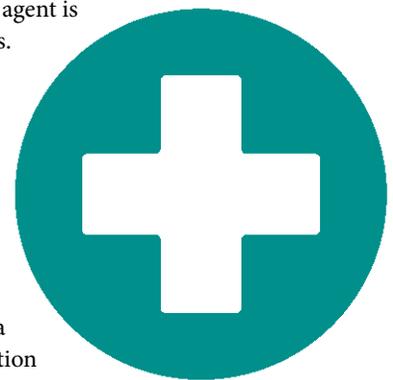
**What happens when a person is injured** or becomes disabled, and cannot communicate his or her preferences regarding treatment to health care providers? An advance directive is a legal document that allows an individual to make advanced decisions about health care in this type of situation. In the advance directive, a person typically lists their preferences for medical treatment and appoints a healthcare "agent" to communicate with healthcare professionals on their behalf. Advance directives are often used in cases of medical emergency, severe illness, or a life-threatening injury. They typically include two parts:

1. **Living Will:** This part specifies the medical treatments a person wishes to receive or refuse if they are terminally ill, in a persistent vegetative state, or experiencing other conditions where they cannot communicate their wishes.
2. **Healthcare Power of Attorney:** This part designates a trusted person (known as an agent) to make medical decisions on behalf of the individual if they are unable to do so. This person should be familiar with the individual's values and healthcare preferences.

Advance directives can ensure that an individual's personal choices regarding their health care are carried out. They can also prevent disagreements among family members, who may be left to make decisions in an emotional and highly stressful situation. For this reason, the preferred practice is to appoint only one agent (successor(s) may be specified if the first appointed agent is unavailable), to avoid possible disputes between co-agents. Medical professionals rely on advance directives to make informed decisions about what treatments to provide as directed by the patient, especially in critical care situations.

Advance directives can vary from state to state, but most advance directives include language directing the types of medical treatment an individual wishes or does not wish to receive in circumstances such as a terminal illness or a coma. For example, it might address whether a person would want to be kept alive using artificial ventilation or nutrition. The language may also direct healthcare providers not to perform CPR or other life-saving measures if a person's heart stops beating or they stop breathing.

No one is required to have an advance directive. If you don't have an advance directive, usually a family member or friend will make health care decisions for you in an emergency situation. If you want to have an advance directive in place, you should first consider what kinds of treatment you would want (or not want) under different medical circumstances. While an advance directive does not have to be in any particular form, the Maryland Attorney General's office has developed a form that can be used.



*Continued on page 7*



7TH ANNUAL  
**WMDACAR**  
**GOLF**  
**OUTING**

**TUES., JUNE 10, 2025**

RENDITIONS GOLF COURSE  
 DAVIDSONVILLE, MD



- 7:30 a.m. Registration and Breakfast**
- 9:00 a.m. Shotgun Start (4-Man Scramble Format)**
- 1:00 p.m. Lunch with Contest Prize Distribution**

**\$169 per Golfer/\$650 for Foursome**

Price includes Greens Fee, Cart fee, bag drop, Breakfast and Buffet Lunch. Each Golfer will get two Drink tickets redeemable for Alcoholic/ Non-Alcoholic Beverages at the Beverage cart. Refreshments will be available on the course. WMDA/CAR will assist in pairing individual registered golfers to make a foursome if requested.

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**Golfer #2:** \_\_\_\_\_ Email: \_\_\_\_\_ Phone: \_\_\_\_\_  
**Golfer #3:** \_\_\_\_\_ Email: \_\_\_\_\_ Phone: \_\_\_\_\_  
**Golfer #4:** \_\_\_\_\_ Email: \_\_\_\_\_ Phone: \_\_\_\_\_

Please assist in making a foursome if less than 4 golfers listed above.

Contact Person: \_\_\_\_\_ Company Name: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

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- Golfers x \$169 = \$ \_\_\_\_\_
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- Lunch only \$69

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**TUES., JUNE 10, 2025**

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<input checked="" type="checkbox"/> One Free Foursome Team <input checked="" type="checkbox"/> Signs at Registration & Awards Lunch <input checked="" type="checkbox"/> 18th Hole Sponsorship	<input checked="" type="checkbox"/> Two Free Players <input checked="" type="checkbox"/> Signs at Awards Lunch <input checked="" type="checkbox"/> 9th Hole Sponsorship	<input checked="" type="checkbox"/> One Free Player <input checked="" type="checkbox"/> Signs at Awards Lunch

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<input type="checkbox"/> Goodie Bag Sponsor - \$1,500	<input type="checkbox"/> Event Supporter - \$300	<input type="checkbox"/> Hole Sponsorship - \$150
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<input type="checkbox"/> I don't play golf but would like to contribute \$69 (Your contribution includes lunch for one person)		

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Account Name (print): \_\_\_\_\_ Signature: \_\_\_\_\_ or  Checking this box is my electronic signature

Continued from page 4

The form allows the person signing to make selections regarding health care in circumstances such as a terminal condition where death is imminent, a case of a persistent vegetative state, or an end stage condition. Choices can be made on such matters as intervention, the provision of nutrition, and pain relief. The form also contains an optional section that allows a person to donate organs or their body for scientific purposes if they choose to do so. The form is widely used which allows for easier recognition by health care providers during a time of emergency. The office of the Attorney General also has designed a wallet card that can be carried on your person, which shows healthcare workers that

you have an advance directive and provides contact names and numbers.

To be valid in Maryland, an advance directive must be signed in the physical or electronic presence of two witnesses, who will also sign. The person named as health care agent cannot also serve as a witness. Maryland law does not require the document to be notarized. After the advance directive is a copy may be provided to your doctor, to be kept in your medical file, and to other trusted persons to have it available when needed. Copies are just as valid as the originals.

An advance directive typically takes effect when your doctor certifies in writing that you are not capable of making a decision about your care. If your advance

directive contains health care instructions, they will take effect depending on your medical condition at the time. An advance directive can be modified at any time and the most recent one will control.

In summary, an advance directive is a valuable tool that gives individuals control over their healthcare, even in situations where they can no longer communicate. By specifying preferences for medical

treatment and appointing a healthcare agent, people can ensure their wishes are followed, provide peace of mind for their families, and help guide healthcare providers in making informed decisions. ■



## Gilbarco just announced they will no longer support Flex II equipment



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# Spring Cleaning Your Gas Station: More Than Just Low Prices

Brought to you by Tim Jancius, [Spigler Petroleum Equipment, LLC](#)

**When customers pull into a gas station**, their decision isn't based on price alone. While 81% of consumers prioritize low fuel prices, other critical factors influence their choices, such as cleanliness, safety, and speed of service. As we head into spring, it's the perfect time for station owners to take a fresh look at their business and consider improvements that can attract and retain more customers.

## Why Price Isn't Everything

According to a YouGov study, beyond price, 76% of consumers choose a station based on its location, while 53% consider safety. Cleanliness plays a role for 49% of customers, and 34% value the speed of service. These numbers highlight the need for gas stations to focus on more than just competitive pricing.

## Spring Cleaning for Increased Business

A seasonal refresh can make a big difference. Here are some impactful ways to give your station a facelift and improve the overall customer experience:

- **Exterior Upgrades:** Freshly painted bollards, islands, curbs, and tank fills create a clean and professional look. Well-maintained pavement and properly marked parking areas also improve the visual appeal and safety of your station.
- **Lighting Enhancements:** Updating canopy and pole lights ensures a well-lit environment, improving safety and making customers feel more secure, especially at night.
- **Store & Restroom Maintenance:** Regular cleaning and upkeep of the store and restrooms can significantly boost customer satisfaction. A clean, well-stocked store encourages repeat visits.
- **Security Measures & Community Engagement:** Partnering with law enforcement can enhance security. Offering discounts on coffee and fountain drinks for police officers creates a visible security presence, deterring crime while fostering goodwill.
- **Speed & Efficiency Improvements:** Long lines at the counter can frustrate customers. Adding self-checkout kiosks helps keep the flow moving without increasing labor costs, improving the overall shopping experience.

## How Spigler Petroleum Can Help

At Spigler Petroleum, we specialize in helping station owners maintain and upgrade their businesses. We offer:

- Bollard and island repair & painting
- Tank fill painting and maintenance
- Installation of self-checkout systems
- POS setup for law enforcement discounts to track merchandise properly

Spring is a time for renewal, and a well-maintained, customer-friendly station can drive more business. By focusing on cleanliness, safety, and efficiency, you can create a station that attracts and retains loyal customers—without relying solely on low prices.

Ready to give your station a competitive edge? Contact Spigler Petroleum today to discuss how we can help improve your business. ■



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*...a common law copyright is actually granted, without any kind of paperwork or registration, the moment that a work is created.*

# Can You Copyright Your Website?

**A website is one of the greatest tools** that you have to market your business or brand, and as such, most businesses, and even many popular bloggers, choose to officially copyright their website content. This means that they have registered a copyright or more than one copyright with the United States Copyright Office for the collective content on their website (as opposed to something with less clear authorship, like its domain name or page layout, which is not eligible for copyright). Some website owners, however, may decide not to formally register with the Copyright Office. Why? Because a common law copyright is actually granted, without any kind of paperwork or registration, the moment that a work is created. The originality of your website — the texts or the photography, for instance — is copyrighted to you, the creator, the moment that it is created by you. However, enforcing a common law copyright, as opposed to a federally registered copyright, has many critical disadvantages. Federally registering that automatic copyright, though, grants you certain legal benefits and protections, including the ability to sue for copyright infringement.

You've no doubt seen the familiar copyright symbol (©) or a related phrase denoting a website as a copyrighted entity on the footer of the websites that you visit, usually also including the website's name or its owner and the years active. While many of these sites will be copyrighted through the Copyright Office, others will be using those words without ever actually being registered. Phrases like "all rights reserved," for example, are often placed at the bottom of web pages as a way to deter others from stealing the website's original content. This may be helpful, but if the owner of the content hasn't registered their copyright, they still aren't going to be able to sue for copyright infringement and are unlikely to have as much legal success defending their content as someone who has registered their copyright.

If you have your own website, all of this may leave you wondering — should you copyright your website? How does it work? And, if you do copyright it, what exactly is under copyright? It's also worth noting the difference between a copyright and a trademark, as the two can both relate to your intellectual property on the web.

## How Can You Copyright Your Website?

Before you can copyright your website, you must first determine what aspects of your website are copyrightable. The Copyright Office doesn't consider certain pieces of a website, like its functional design elements, URLs, layouts, or familiar icons, among other similar aspects, to be copyrightable.

When registering for a copyright for a website, you can choose from two different pathways. You can register your original works individually, such as each individual writing piece, if the writing is published, or as a group literary work, if the writing is not published. You can also register a group of photography if you're wanting to protect a large amount of photography on your website. Each artistic work has its own set of expectations. A [copyright attorney](#) can help you understand what is considered a published or unpublished work and how best to copyright that work.



What about the other aspects of your website, like the HTML? This can only be copyrighted if it shows a creativity that is particularly unique to your website.

The other route that you can go when it comes to copyrighting your website is to register it as a collective work or a compilation. To do this, your website must meet certain creative requirements. If it meets those requirements, then you can register your website as a whole work. Understanding these requirements and the best path for your website can be extremely confusing and tricky. That's why it's best to contact an intellectual property lawyer to discuss your goals. Once your copyright needs have been determined, then the appropriate application can be filed.

### **Copyright Vs. Trademark: Which Do You Need?**

A copyright is meant to cover works of creativity, such as literature, art, music, film, and related works, including computer programs. A trademark, meanwhile, is what you'll need to

protect your distinctive logo or brand name. This is an area where you'll want to be careful not to accidentally infringe on someone else's trademark while selecting and trying to protect your own. Performing a trademark database search is essential before crafting something like a logo for your website. Your intellectual property lawyer will help you with this, as well.

### **Should You Copyright Your Site?**

Choosing to register your website as an authentic work with the United States Copyright Office is an individual and complex choice. If you have a business or you generate income through your website, and if you host content that others may be likely to steal, like original writings or photography, then copyrighting your website could be one of the most important decisions that you'll ever make. In the unfortunate event that someone were to steal your content, would you file a lawsuit for copyright infringement? If so, copyrighting your website is essential.

It is, however, important to recognize the particular uniqueness of a website. Websites are usually frequently updated, undergoing numerous changes. When you copyright your website, you are only copyrighting that moment in time — the copyright does not extend to those future changes.

Garcia-Zamor can guide you through the process of copyrighting your website. Some clients hire us to audit your brand and intellectual assets. [Send us a message](#) or call us today to discuss your copyright needs. ■

# SSDA-AT Backs REPAIR Act to Protect Vehicle Owners & Repair Shops



By Roy Littlefield IV

**The Service Station Dealers of America** and Allied Trades (SSDA-AT) has joined a coalition of industry leaders in signing a letter to Congress advocating for the Right to Equitable and Professional Auto Industry Repair Act (REPAIR Act, HR 1566). This legislation is a critical step in ensuring that vehicle owners, independent repair shops, and aftermarket manufacturers have secure access to essential vehicle repair and maintenance data.

## Why the REPAIR Act Matters

As automotive technology continues to evolve, the ability to repair and maintain vehicles increasingly depends on access to vehicle repair data, compatible replacement components, specialized training, and advanced diagnostic tools. However, Original Equipment Manufacturers (OEMs) are tightening their control over vehicle-generated data, limiting access to independent repair shops and aftermarket parts suppliers.

Modern vehicles wirelessly transmit vast amounts of data to OEM-controlled cloud servers. OEMs alone determine who can access this data and under what conditions, raising concerns about anti-competitive practices that restrict consumer choice and drive up repair costs.

A 2023 independent survey found that:

- 63% of repair shops report regular difficulties in performing routine repairs due to data access restrictions.
- 51% of repair shops send up to five vehicles per month to dealerships because they lack the necessary data, costing consumers an estimated \$3.1 billion annually.

As the average age of U.S. vehicles reaches a record high of 12.6 years in 2024, these challenges will only grow, making independent repair access even more essential.

## The Economic Impact of the Independent Aftermarket

Independent repair shops and the aftermarket industry play a vital role in the U.S. economy:

- More than 70% of out-of-warranty vehicle repairs occur in the independent aftermarket.

*Original Equipment Manufacturers (OEMs) are tightening their control over vehicle-generated data, limiting access to independent repair shops and aftermarket parts suppliers.*



- Independent shops offer repairs at prices that are 36% lower than dealerships on average.
- Consumers trust independent repair shops for their fair pricing, knowledgeable mechanics, and strong reputations.
- The aftermarket industry supports over 4.9 million jobs and contributes more than \$500 billion annually to the economy.
- Prevents anti-competitive practices that drive up repair costs and limit consumer choice.
- Supports local businesses and jobs, protecting a thriving industry that benefits communities nationwide.

### **How the REPAIR Act Protects Consumers and Businesses**

The REPAIR Act guarantees vehicle owners and their chosen repair facilities access to the same repair and maintenance data that OEMs collect, while upholding existing cybersecurity protections, intellectual property rights, and vehicle safety standards. This legislation:

- Ensures fair access to vehicle repair data for independent shops and aftermarket suppliers.

### **Congressional Support and Call to Action**

SSDA-AT and industry leaders express their gratitude to Representatives Dunn, Gluesenkamp Perez, Davidson, and Boyle for championing this legislation. To protect consumers, support small businesses, and ensure fair competition in the automotive repair industry, we urge all members of Congress to cosponsor HR 1566, the REPAIR Act.

By passing this bill, Congress can preserve consumer choice, protect independent repair businesses, and maintain a competitive and affordable repair market for all Americans. ■

# FinCEN Releases CTA Relief Rule



By Roy Littlefield III

**More good news on the battle over privacy.** Treasury’s Financial Crimes Enforcement Network on Friday released the following statement:

The Financial Crimes Enforcement Network (FinCEN) is issuing an interim final rule that removes the requirement for U.S. companies and U.S. persons to report beneficial ownership information (BOI) to FinCEN under the Corporate Transparency Act.

In that interim final rule, FinCEN revises the definition of “reporting company” in its implementing regulations to mean only those entities that are formed under the law of a foreign country and that have registered to do business in any U.S. State or Tribal jurisdiction by the filing of a document with a secretary of state or similar office (formerly known as “foreign reporting companies”). FinCEN also exempts entities previously known as “domestic reporting companies” from BOI reporting requirements.

A couple of thoughts. First, this action clears up any remaining confusion as to whether domestic entities needed to file their beneficial ownership information. With Friday’s announcement, filing your information “just to be safe” no longer appears necessary. Big shout out to the new team at Treasury for getting these changes out the door so quickly. It could not have been easy.

Second, while the new rules alleviate the need to file, this relief is temporary. As long as the underlying CTA statute remains in place, a future administration could rewrite the rules to be more expansive.

That means permanent relief will have to come from the courts or Congress. The courts are teed up to act quickly, with pro-business rulings coming from District Courts in Alabama, Texas and Michigan just in the past year. Those rulings focused on the lack of constitutional authority underpinning the CTA as well as the damage it does to the protections of speech, association, federalism, and warrantless searches. As the recent Michigan decision noted:

The CTA’s reporting requirements reach indiscriminately across the smallest players in the economy to extract and archive a trove of personal data explicitly for future law enforcement purposes at an expected cost to the reporting players of almost \$22 billion in the first year alone. The Fourth Amendment prohibits such an unreasonable search.

The CTA’s overreach is almost comical – thirty million law abiding small businesses and other legal entities forced to report the personal information of perhaps one-hundred million owners and their employees? The sheer scale of it suggests a successful challenge is a distinct possibility.

Failing that, however, Congress will have to act. It won’t be easy – support for the CTA extends across the aisle – but legislation to repeal the CTA has already been introduced, and the committees of jurisdiction are chaired by strong critics of the law – Representative French Hill of Arkansas and Senator Tim Scott of South Carolina.

An upcoming hearing in the House Financial Services Committee should give businesses a good idea of how the new congressional leadership intends to close the book on the CTA for good. It’s a bad idea that should never have been implemented in the first place. ■

*The Financial Crimes Enforcement Network (FinCEN) is issuing an interim final rule that removes the requirement for U.S. companies and U.S. persons to report beneficial ownership information (BOI) to FinCEN under the Corporate Transparency Act.*

# WMDA CAR

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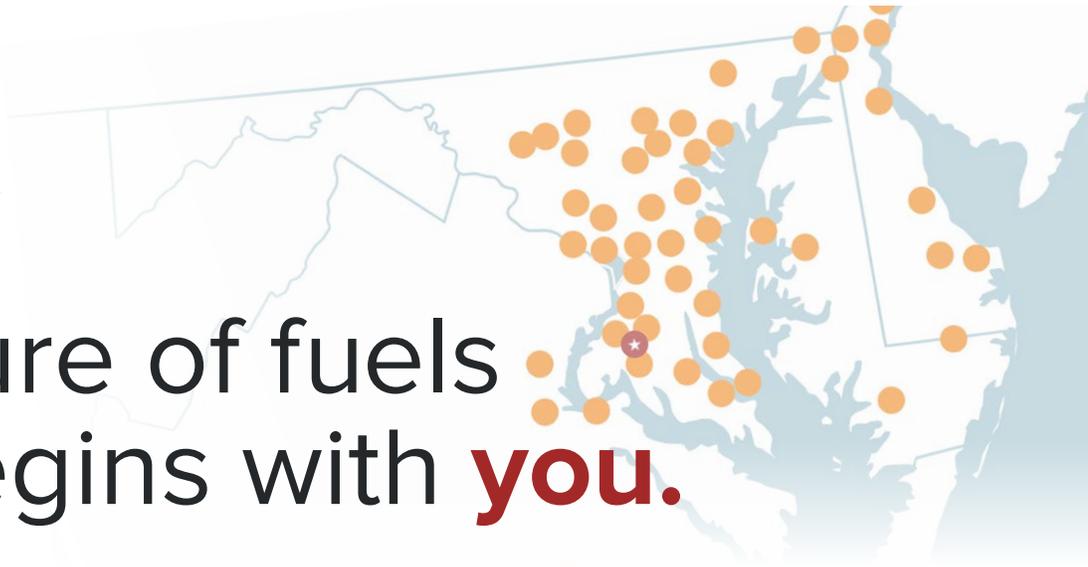
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