



Service Station Dealers Association

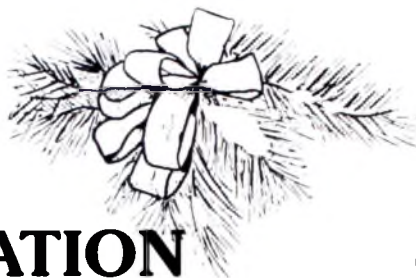
Michigan

SERVICE QUARTERLY

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The official publication of The Service Station Dealers Association of Michigan

Seasons



Greetings

AET LEGISLATION PASSES

In an all day session of the legislature on Wednesday November 10, both the House and Senate passed the final bills for an inspection and maintenance program as required by the Clean Air Act. These bills included HB 5016 that dealt with Southeast Michigan and HB 4165 dealing with the western three counties.

There was an intense battle on these bills to the very end because of the mandates put upon the state from the E.P.A. It is felt that Michigan has some very extenuating circumstances that the E.P.A. has not taken into consideration. With that understanding, many contingencies were placed into both bills to allow flexibility and the possible suspension of more new stringent requirements. In summary, the bills are as follows:

HB 5016

This bill has two purposes. To meet the redesignation requirements for SE Michigan and to establish, by law, the type of new I/M test improvements and procedures that will be used in SE Michigan.

A. The current AET program will continue at least until the redesignation request is formally acted upon from E.P.A. (E.P.A. has 18 months from November 15 to make a decision).

B. If redesignation is formally given, the present program would continue with an increase in enforcement and oversight.

C. If after redesignation it is determined, through air monitoring data, that the SE area violates the ozone quality and an I/M upgrade is

needed, or as an contingency plan to maintain clean air, the following would be put into place. 1. Upgrade to BAR 90 system, test and repair network, 2. Test fee goes to \$13.00 (\$3.00 to administration & oversight), 3. Add a visual anti-tampering check, 4. Add trucks up to 10,000 lbs G.V.W., 5. Implement only in Wayne, Oakland & Macomb counties, 6. If more credits are needed then go to Washtenaw county.

If redesignation is NOT granted then an upgraded basic test and repair net



work must be implemented as follows: 1. Wayne, Oakland, and Macomb counties, 2. Test fee goes to \$13.00 (3.00 administration and oversight), 3. Upgrade to BAR 90 system, 4. Add visual anti-tampering check, 5. Add trucks to 10,000 G.V.W., 6. If more credits are needed then go into Washtenaw county.

This bill puts legislative intent in the bill so that, whatever the circumstances are, we know what type of system to implement. One key is that centralized testing is not an option.

CONTINUED ON PAGE 22

The new legislation regulating Stage I and Stage II were included in the package of clean air bills signed into law on November 13th, 1993. These regulations are to be administered by the department of agriculture, and are written in the motor fuel quality act. Stage I pertains to the dispensing of fuel from a tanker truck to the underground storage tank and the ability for the fumes from the filling process to flow back into the delivery truck. Stage II involves the dispensing of gasoline from a pump nozzle to a vehicle and the process of capturing the fumes to assure flow back into the UST. Special de-

provision to address the concern of the small "mom & pop" operation. It was recognized by the legislature that this group of small business people especially needed relief of these requirements. That provision states:

"A dispensing facility owned by an independent small business marketer of gasoline that has sales of 50,000 gal per month on a 12 month average and has 7 or less dispensing units (nozzles) is exempt from Stage II requirements."

There are three sections of the law that allow the state to suspend the Stage II requirements. 1. The state has formally redesignated the requirements of Stage II may be suspended. However, it may be imposed in a contingency plan if an actual violation of the ozone standard is observed. 3. The director shall suspend the requirements of Stage II when the final on-board vehicle vapor control rules are promulgated by E.P.A.. (These are court mandated and are to be out by January 22, 1994). However, it may be imposed in a contingency plan in one or more counties if an actual violation occurs in the ozone standard.

It is speculated that the E.P.A. will meet the January 22, 1994 deadline and promulgate the final rules, therefore eliminating Stage II except in the case of a contingency plan. Stage I will need to be implemented in those counties where it is not already present.

As the implementation of these acts take place, and as the answers come in from E.P.A. on redesignation, further bulletins will be sent out. ♦

See related article on page 6.

signed hose nozzles, pumps, hoses and piping are required.

This new act effects the counties of Macomb, Oakland, Washtenaw, and Wayne in the Southeast and Kent, Muskegon, and Ottawa on the west side. The implementation schedule outlined by the act is as follows: 1. Newly built facilities since 1990 - 6 months to install. 2. Facilities pumping 100,00 per month or more - 1 year. 3. Facilities pumping less than 100,00 to 10,000 per month - 2 years.

Also added to this schedule was the small marketer

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DECEMBER 1993

4TH QUARTER, 1993 VOL. VI, No. XXIV,
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Service Station Dealers Association

Michigan

FEATURES

- 5 Dealer Profile**
An interview with Tim Mariner.



- 12 Feature Article**
How dealers can prevent fraud.

- 18 Outstanding Employee Contest**
Enter your most outstanding employee in this new contest by Service Quarterly.

DEPARTMENTS

- 4 President's Corner
- 6 Viewpoint
- 7 News Briefs
- 20 Member Application
- 21 Ad Index
- 23 New Products

ARTICLES

- 8 **Environmental Update**
MUSTFA Reform
- 9 **Law Talk**
Attorney Mark Cousens reports on how dealers struggle to get paid
- 11 **Money Talk**
Alternative Shopping for the Holidays
- 14 **Business Focus**
CPA Larry Wright Discusses How You Can Market to Maximize Profit
- 15 **Safety Tips**
How to Avoid Back Injury
- 17 **Social Security Q & A**
Physician Services and other issues

Happy Holidays



SSDA-MI MEMBERS HAVE IMPACT



The voices of democracy speak loudly, especially when many voices join together in chorus. That's the idea behind association involvement in political activity. America's associations offer small- and medium-sized businesses, and individual professional and tradespeople, the opportunity to band together with like-minded voices to be heard.

"When people hear about associations, they always think of the 'big guys,'" says R. William Taylor, president of the American Society of Association Executives. "But associations are also the voices of the Mom and Pop operations — and individuals. By speaking together through associations, those individuals

can make their voices heard.

"Every year, for instance, the National Association of Chiefs of Police polls every chief and sheriff in the United States, asking crime-related questions on everything from the death penalty to media fairness. Responses are used to advise decision makers as they write national and state policy.

Similarly, when the Service Station Dealers Association of Michigan learns of new legislative issues pertinent to the dealers of Michigan they inform them immediately in order to give them the opportunity to understand issues and to have a unified voice when dealing with the legislature.

While research shows that

only one-third of all associations engage in lobbying activities, most associations are involved in the educational aspects of politics.

1. They translate government action and mandates for their members.

When an agency comes up with new rules, the association tells its members what those rules mean and helps them determine how to carry them out.

2. They serve as a primary source of technical information for policymakers.

"Because legislators cannot possibly have at their fingertips all the information they need on thousands of subjects, they depend of private-sector organizations to provide them with the ex-

pert knowledge they need," explains Taylor.

They offer a balance of differing viewpoints. "The give and take as associations express their differing views enriches the political process and provides balance, enabling lawmakers to judge the likely effects of particular bills," Taylor points out.

If you are not currently a member of the SSDA-MI, call (517) 484-4096 for more information. Please join today. (See page 20 for membership application). ♦

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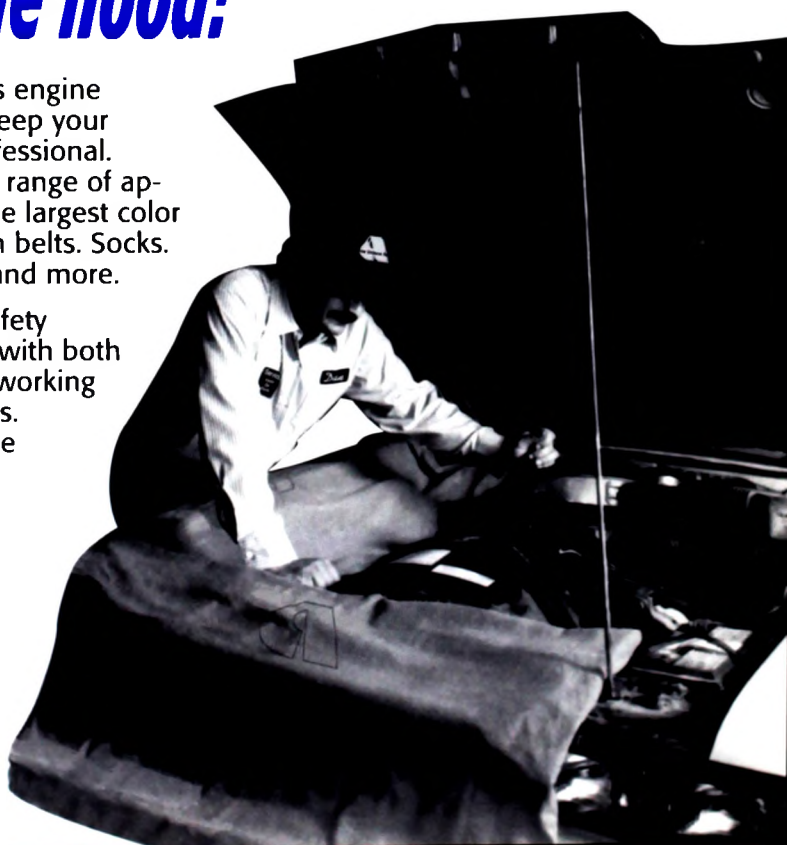
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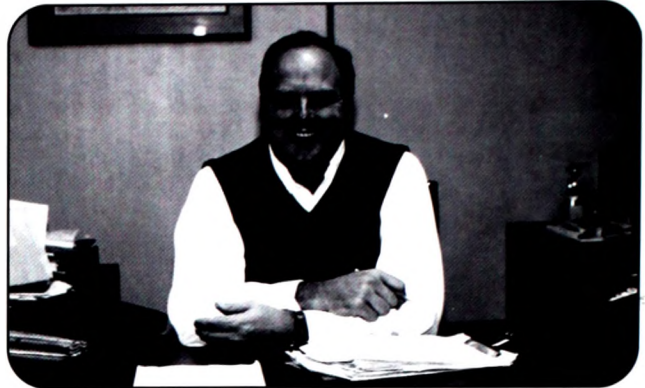


DEALER PROFILE: Tim Mariner

By Melanie Disa, SSDA-MI

STAYING COMPETITIVE IN THE 90's

Tim Mariner has been a dealer for almost twenty years. He attended Western Michigan University from 1970 to 1974 and majored in Petroleum Sales and Distribution. Upon graduation he opened his first station — a Shell station with repair bays. Tim's wife, Pat is a registered nurse, works part time in the recovery room, and also helps with some of the bookkeeping at the office. They have two sons. Located in greater Grand Rapids area, Tim has continued on a successful path in the industry and currently has three convenience store stations — two Shell and one BP — and one full service repair center. In all, he has fifty-five employees. In this interview Tim talks about the struggle to stay competitive and how the association helps with his growing business.



S.Q. What's the secret to running multi locations?

T.M. I guess the key to running one, two or three stations is good people. As many owner/operators know, really good people are hard to find. With multiple stations it takes good store managers and general managers. With the market continually changing and the margins continually shrinking, I am constantly questioning whether its really worth the effort to run multiple stations. I am left thinking that in the long run, I will probably have to make a change — either get larger or get smaller. I think larger.

S.Q. With all those employees, has legislation like the Family Leave Act made it harder for you as a small businessperson?

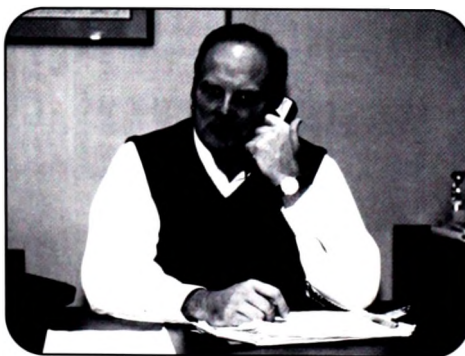
T.M. The Family Leave Act hasn't effected me because we have typically abided by that anyway. Good quality employees are hard to find, so if somebody has the need to leave, and they have a legitimate reason, typically your going to give them the time and accept them back in the end.

S.Q. You run two Shell stations and one BP. Do you find a difference in running the different branded stations?

T.M. I have found that we are able to be competitive at the BP. But, the BP doesn't have the brand loyalty that the Shell does. So, I guess they both have their pluses and their minuses.

S.Q. In speaking with dealers throughout the state have you noted any difference in running a station in Grand Rapids that other areas in the state?

T.M. The only difference, is in the gas pricing in the outstate area. It is driven more by jobbers and independents than it is in the metro Detroit area. Typically, I think you'll find that the margins are 2 to 2.5 cents less than what they are in Metro Detroit.



S.Q. What is the main concern of dealers today?

T.M. I think it is the need to stay on top of their business. There are so many areas of profit poten-

tial, but the margins on the majority of them are very thin, so you have to stay on top of them daily. You need to stay on top of them to the degree of knowing whether you made money or lost money today.

S.Q. So, how do you stay competitive?

T.M. Primarily by getting more and more involved with statistics in the business. There's no large change to be made, there's no big secret to find the answer to. It's just a lot of small statistics that you have to be constantly looking at: controlling your shrinkage, knowing your average sale per customer, knowing your customer counts. Customer counts are so important in the convenience and gas business. Staying competitive means watching a large variety of statistics and trying to glean a little extra profits any where you can.

S.Q. How do you keep the customers coming in?

T.M. The gasoline pricing of the supplier dictates a lot of it. You can only price so competitively on gas prices. But we try to, through proper image, have very clean stations and very appealing stations. We spend a lot of money on employee training in order to have them be the best in the area, so we can attract people

back based on employee-customer care principle.

S.Q. Do you ever find any conflict with any promotions that the oil companies run?

T.M. Promotions are an important part of the business. A lot of effort goes into the execution of it but, at times, I don't think they are thought through thoroughly enough. Many times the promotions offer no net gain to the dealer — there's no gross profit on the items that are promoted. We all know the importance of gasoline volume — but if your promoting an item solely for gasoline volume increase it isn't worth it. I think sometimes it would be just as easy to sell the item promoted for an extra ten or fifteen cents in order to generate a profit so ever one can win: the oil company, the dealer and the consumer.

S.Q. You've been in the business for almost twenty years, what would you say is the biggest change you seen throughout the years?

T.M. The biggest change I have seen is in the entry level of employees that apply for work. Entry level seems to be below what it used to be. Many seem to be lacking common sense — which is a hard thing to instill in people. In turn, the training of employees has become more and more important — but has become harder and harder because the entry level is lower.

CONTINUED ON PAGE 19

By Terry Burns, SSDA-MI Executive Director

REFLECTING ON 1993



This is a great time of year. So many things are going on, events, gatherings, family functions and gift giving. The mood is one of excitement and anticipation, lots of anticipation. Soon it will be the day after Christmas and then 1994. A little depression sneaks in and we begin to reflect and evaluate the things that went on in 1993.

That same type of scenario could describe our Association's events this year. The year began with the entire staff changing positions and some new staff members being hired. The issues and events were some of the most crucial we have seen in a long time: MUSTFA, Inspection & Maintenance, Stage II, Reform gas, product labeling and scrap tires just to name a few. Meetings were continuous, and many times our voice speaking for small business and the motoring

public was in an overwhelming minority. As deadlines for this legislation drew near, anticipation grew and the team effort of the Association became very prevalent. Finally, as the deadline came for the Clean Air bills to become law, the adrenalin slowed and the day after Christmas came early.

The adrenalin slowed on November 13th when the Governor signed the Clean Air bills into law, (I/M and Stage II). All the work by the members, the calls, the meetings, the customer contact and requests for calls, the late night fact gathering on this issue was all coming to a close. Like the day after Christmas, I found myself not wanting to talk about it or rehash any of it. It just felt so good knowing it was over. It took so long, but went by so fast.

Then after a few days of letting it sink in I began to

reflect. Many questions come to my mind and I realize I have a lot of people to thank. What type of reputation did the SSDA-MI maintain during these issues? Looking back, there were many opportunities to go after individuals or slam other groups for comments or accusations. Even some comments from some of the departments, the legislature and other governmental agencies were just asking for some form of retaliation. But this association never took those opportunities. Instead we continued to use the facts, grass roots and good common sense to appeal to those decision makers. That stance has left us stronger and made us a more respected player in Lansing than ever before. We can hold our head up high because we didn't stoop to the normal Lansing tactics in order to meet our goals.

How were those goals attained? Member involvement, brave elected officials, strong association stance. Our member involvement was very exciting. Grass roots took over when involvement was requested. A great deal of time, money and effort was put out by our members - many coming to Lansing when needed, making phone call after phone call with questions and requests all for a cause that would benefit the entire association.

Several elected officials helped to champion the small business persons' cause. The first to come to mind is Representative Joe Porreca who helped stop the "blackmail" from continuing. Representative Tom Alley stood up and demanded that new bills be drafted, and that the administration participate in the outcome. Representative Mick Middaugh with Representative Alley put a bi-partisan committee together to see that the bills made it to the House floor. Once on the floor Representative Olshove, Representative Profit, Representative Voorhees, Representative Horton, all under the direction of Speaker Hertel made sure the proper language

and contingencies were in place to assure passage. These Representatives are to be commended for their stance and efforts which most of the time went against the majority.

Member involvement is an absolute need for a strong association, and we have it. None of this would have been possible without an organized effort of hundreds of members. These issues are but a few. There are many more sure to come. Every member can be confident of the type of all out effort, that will be given to issues that effect you, the independent dealer in Michigan when they arise.

If you are not part of this association now is the time to join. Take a look back at what the Association has done and how much stronger it could be with your involvement. The contribution you can make, and talents you can add, may be just what we need.

SSDA-MI members now have many accomplishments to present to non-members to say, "Won't you join us and be part of a group that makes a difference for our industry?" Now is the time to grow because 1994 is here and a whole new set of laws, regulations and requirements are coming at us.

Join now, so next year you can reflect on the year the Association had instead of just reading about it. ♦



Special thanks to Karoub & Associates for their work on important dealer issues. We are very pleased to have a firm with such high standards, client commitment and personal involvement representing the SSDA-MI. Their understanding of the process and guidance on the issues are invaluable to me and the Association. They have truly earned the respect and notoriety they are given. Thanks.

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NEWS BRIEFS

Workplace Posters

Many dealers have been receiving letters from companies selling posters which are required by numerous labor laws. While it is true that this information needs to be posted for your employees, you are not required to purchase them from these companies. The advantage of the company made posters is that all required posting information is consolidated into one large poster, instead of several smaller ones. Otherwise, these posters are available free of charge by contacting the agencies responsible for overseeing these laws.

Following is a list of required posters and where they can be obtained from:

Michigan Safety and Health Protection on the Job, Michigan Right to Know Laws: (MIOSHA Posters) Contact the Michigan Department of Labor at (517) 322-1809.

Federal Minimum Wage, Employee Polygraph Protection Act: Contact the US Department of Labor, Wage and Hour Division, at (313) 226-7447 or (616) 456-2183.

Equal Employment Opportunity: Contact the US Equal Employment Opportunity Commission at (800) 669-3362 for federal forms, and the Michigan Department of Civil Rights at (517) 335-3165 for state forms.

Michigan Whistleblowers Protection Act: Obtain a copy of Public Act 469 of 1980 from any public library.

Michigan Employment Security Act Notice to Employees: Contact your local branch office of the Michigan Employment Security Commission.

Americans with Disabilities Act: Contact the Americans with Disabilities Act Hotline at (800) 669-3362.

Protective Pendants

Electronic pendants, which are easily activated, are notifying police in Canada. The pendants are being used by a Canadian C-store chain in order to help protect employees from personal harm.

The pendant can be worn around the neck, or attached to a belt. It has two buttons, which if pushed simultaneously, electronically notify the police of a problem.

Each pendant costs the company \$80, plus \$300 per store for additional equipment. However, the C-store chain feels the cost is worth it because the device saves at least one employee a month from bodily injury, or worse. Workers are trained to use the pendant when they are threatened, and unable to get to a phone. This does not include robberies. Employees are warned against doing anything that might aggravate a robber.

The pendant system is available in the US via the Linear Corp., at 1-800-421-1587.

Stage 1

Stage I vapor recovery is the reclaiming of gasoline fumes, at the time of fuel delivery, from gasoline underground storage tanks. A stage I vapor-recovery system includes an interlocking system at the fill pipe to ensure that a vapor-tight collection line is connected before any gasoline is dropped into the UST. It also requires a poppetted drybreak on the vapor return, along with vent pipes needing to be equipped with pressure-vacuum relief valves.

For Stage I & II purposes, a dispensing unit is classified as one nozzle. This means that 1 Multiple Pump Dispenser (MPD) would equal 6 dispensing units. Also, diesel fuel, kerosene, and fuel oil are not subject to any vapor recovery requirements.

New Payphone Program

MCI Telecom USA is pleased to announce a new long distance payphone commission program for SSDA-MI members. Members enrolled in this program receive fifty cents for every operator assisted call, regardless of call length. Your payment comes directly from MCI Telecom USA, accompanied by a monthly traffic report to help you track your calls.

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ENVIRONMENTAL UPDATE

By Brent Morton, SSDA-MI

MUSTFA REFORM

On October 26, 1993 Governor Engler signed into law the final bills reforming the Michigan Underground Storage Tank Financial Assurance (MUSTFA) program. Broad changes to the program are expected to make MUSTFA more effective by standardizing remediation activities and improving cost efficiency measures.

Perhaps the most significant change for dealers is the new "co-pay" requirement, replacing the old \$10,000 deductible. Under the new program, owner/operators will be responsible for payment of part of every invoice. Invoices may be submitted for reimbursement once \$5,000 of invoiced expenditures has been incurred. This means that owner/operators will receive reimbursements sooner and initial financial output will not be as extensive as the old requirement of \$10,000. Also, owner/operators will stay involved in the decision making process for work done at their station. As a co-payer, dealers remain authoritative voices on activities affecting their business.

For the first release, the owner/operator will be responsible for 10% of every invoice, with a maximum total expenditure of \$15,000. For the second release at the same site, the owner/operator will be required to pay 30% of every invoice, up to a maximum total expenditure of \$45,000. MUSTFA funds will not be available for a third release at the same site.

Also substantial changes have been made to remediation actions including money saving steps for owner/operators. There is now a new "de minimus" spill rule which permits expedited spill cleanups involving up to 20 cubic yards of infected soil per tank, and up to 50 cubic yards per location. Also, new "Type C" cleanups will be available for sites that qualify. ("Type C" cleanups are risk based remediation guidelines for specific sites.) A new cleanup priority system will be implemented, allowing low contamination sites to remain unaddressed under monitoring for up to 12 months. If evidence of "natural attenuation" exists, then the site may be given

additional time for monitoring.

New requirements will also be placed on consultants who perform MUSTFA eligible work, including new staffing requirements and the implementation of an extensive bidding process guaranteeing cost efficiency. Also, stricter fines and penalties will be seen for fraud and fund abuse. These measures are hoped to eliminate fraudulent remediation practices.

The State Fire Marshal has also made changes to improve tank installations. It is now required that installers carry \$1 Million in pollution liability insurance, along with notification to the Fire Marshal 45 days prior to tank system installations.

A scheduled program phase-out is another aspect of this new legislation. Exact timetables for phase-out will be finalized only after results of a private pollution insurance study are reviewed. This study, to be completed by June 22, 1994, will be reviewing private pollution insurance options in Michigan. This study will be used to determine when

or if private insurance will be available to take over the essential role fulfilled by MUSTFA.

For tank systems that have not been upgraded, the proposed phase-out maximum reimbursement is as follows:

Claims submitted

12/31/96
MUSTFA Cap \$1,000,000

12/31/97
MUSTFA Cap \$ 800,000

12/23/98
MUSTFA Cap \$ 600,000

All claims that are submitted after 12/23/98 will not be eligible for any MUSTFA coverage.

It is expected that the new MUSTFA program will not only better control remediation costs, but will enable owner/operators to remain in the decision making process on activities which effect their future. The new program will also guarantee financial assistance until private insurance is a practical alternative. ♦

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GETTING PAID



It's a fact of life: customers are supposed to pay for repairs. But sometimes they do not pay. Promises to pay evaporate; the credit card they intended to use is refused; parents who (the customer says) were going to pay for the repairs are suddenly unavailable. So you have invested time, expertise, and money in a repair, and the customer says he'll pay you later. What to do?

Clearly, the best business plan is to make certain that the customer can pay for the repair before the work is done. Estimates (required by the auto repair act anyway) can be used to determine the probable cost of the job. You may request a deposit, or, in proper cases, to have the entire job paid for in advance. And you can request a similar payment for increases in costs. But even the most cautious dealer will get hurt sometimes. How, then, can you collect for repairs when the customer says they cannot pay?

A. If you feel comfortable with the customer's sincerity and ability to pay, you can reach agreement on some type of installment payment plan. This involves a simple arrangement in which the customer agrees to pay a

certain amount periodically (usually each week or month). These plans are certainly acceptable. But dealers should take precautions to make sure the customer will follow through.

First, the customer should acknowledge that they owe the dealer a specific amount. Second, the customer should agree to pay that amount. Third, the terms of the payment plan should be spelled out. Spelling out the agreement will make it possible for the dealer to obtain a judgment, should the customer default.

A sample agreement might look like this:

"I (customer) acknowledge that I owe (dealer) (amount due) for repairs to my (type of vehicle) performed on (date) as described in repair order (list number). I agree to pay (dealer) the full amount of (state amount) in (number) installments of (amount) each. The first payment will be due on (date) with payments of (amount) due each (week or month) thereafter. I understand that I must make each of the payments as listed. If I miss any payment, the entire balance then due must be paid immediately."

Signed: (customer)
Date:

This simple agreement will make the customer's obligation clear. The dealer may sue the customer if the customer misses a payment. And the agreement will make it almost certain that the dealer will win the suit. Hopefully, however, the suit will be unnecessary, because the customer will keep their bargain.

B. There are customers that do not pay, however, and who will not cooperate in arranging a payment plan. This is hardly a new problem. Since 1915, Michi-

gan has had a law permitting a garage keeper to impress a lien on a vehicle the mechanic has repaired. The garage keeper's lien is the ultimate protection, as it permits the mechanic to keep and sell the customer's vehicle, to insure payment.

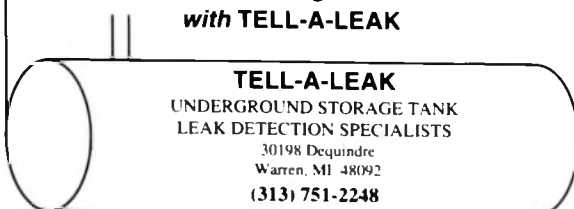
The statute has been law for a very long time. There have been only a few amendments to it over the past 78 years. The scheme is fairly simple: The garage keeper

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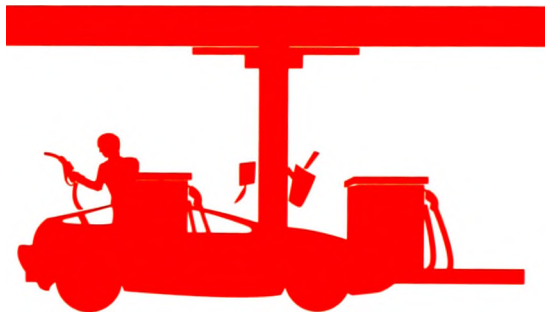
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By Orlando Ramirez, Copley News Service

ALTERNATIVE SHOPPING

Times have changed. So have shopping habits. Consumers have always been interested in quality and value, but convenience was always a concern. The ability to hop in the car and get to the mall and have a cornucopia of selections was important to most shoppers.

Then there was always the social aspect of shopping, with malls supplanting downtowns as community centers. Then there is just the plain pleasure some people find in shopping. Things changed in the last five years. Part of it was the economic hard times. Another part was what trendsmeister Faith Popcorn dubbed was the urge to "cocoon." The result was that people were looking for different ways to shop.

The rise of outlet stores, catalogs, warehouse stores (such as The Price Club) and specialty stores such as museum shops, all tap into this new way of shopping. To fill the need for more information, Elysa Lazar and Eve Miceli have written three books, "Outlet Shopper's Guide," "Shop by Mail" and "Museum Shop Treasures" (Lazar Media Group, Inc.). Lazar is a nationally recognized shopping expert, is a consumer correspondent for CNBC and a regular contributor to "Live with Regis & Kathie Lee."

OUTLET STORES

Factory outlets began as manufacturer run stores to sell overruns and overstocks. They were often situated in out-of-the-way places off major interstates so as not to compete with the major urban and suburban retailers. Often these centers are built along well-traveled tourist routes between major cities or near popular resorts. Soon three or four manufacturers began situating their outlets in the same

locations and a boom was born.

Shoppers responded immediately. Top-of-the-line designer goods could be found to the 20 to 40 percent discounts. The selection wasn't always what you might find at top department stores, but a good shopper could find real bargains. That soon changed. Often, shoppers preferred being able to see a manufacturer's merchandise without the department store's buyers making the selection first.

Some of the manufacturers that have outlets include Brooks Brothers, Eddie Bauer, Anne Klein, Calvin Klein, Bugle Boy, Levi Strauss, Benetton, American Tourister, Fieldcrest, Matel, Mikasa and Black & Decker. One thing to look out for some stores add "outlet" to their name, but are full-price stores not representing a particular manufacturer.

Miceli and Lazar list more than 300 North American outlet centers with more than 8000 stores. The listings include, address, store hours, driving directions, travel times and stores in each center according to state.

Symbols indicate if restaurants and restaurants are available (an important consideration given the distance of most centers.) The authors also provide state maps so you can "connect-the-dots" if you want to go on a factory outlet shopping spree, as well as an index by designer and brand if you have a certain item in mind.

MAIL ORDER

Not everyone likes going to the mall. According to Lazar and Miceli more than 90 million Americans now shop by mail. When ordering from a catalog, they suggest you never send cash through the mail. The best and safest way is to use a credit card. It not only

speeds the return process but offers protection against loss damage or theft.

In case you need to make an exchange, return or credit be sure to keep all receipts, invoices and original packaging. Before you order, make sure to check the company's policy on returns and once your order arrives, check it thoroughly and immediately notify the company if there are damages.

One thing to keep in mind, although items may appear cheaper in catalogs, the price may actually be higher than store-bought merchandise once shipping, tax, insurance and handling are added to the bottom line. "Shop by Mail" lists the address and phone number of more than 850 mail order houses, as well as the return policy, which credit cards are accepted and return policy.

Here are some interesting catalogs: Baby Bunz & Company Has 7 years of "diapering experience" and its full-color catalog list all infant necessities as well as gives tips to new parents. Van Dyke's Taxidermy Supply, This catalog "has all the taxidermy tools, accessories and supplies for life-like results." Fabulous Fortune Brownies these brownies come with a fortune baked inside. Flavors

include walnut, peanut, white chocolate almond, coconut and serious chocolate. The Dancing Dragon Dragon items from brass dragon pins to medieval lithographs to red glass dragon charms. Used Rubber, USA Anything made from leather can be made from rubber - in this case recycled rubber. Items included handbags, wallets, datebooks, trench coats and more. Cheers The show is recently off the air and already the nostalgia has begun. Merchandise includes officially licensed "Cheers" paraphernalia such as beer mugs, towels, T-shirts and other accessories.

MUSEUM SHOPS

Catalogs of items available in museum gift shops deserve a book of their own according to Lazar and Miceli. There are more than 200 catalogs listed in "Museum Shop Treasures," covering everything from the museum operated by the National Rifle Association to the Mummies Museum in Philadelphia and others worldwide.

The merchandise offered is usually a cut-above in both selection and quality.

CONTINUED ON PAGE 19

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FEATURE ARTICLE

By Melanie Disa, SSDA-MI

DEALERS CAN PREVENT FRAUD

All retailers are concerned about losses from counterfeit cash money. But are they aware of the many other ways counterfeiting is accomplished today? In this day, retailers accept many different forms of payment for services rendered. From cash money and credit cards to travelers checks and ATM (Automatic Teller Machine) cards — today a customer can pay for product without ever having to see an attendant. And within each form of payment, fraud is abundant.

U.S. Currency

The following is a letter from James Huse, Jr., Special Agent In-Charge, Michigan Division, U.S. Secret Service, dated September 29, 1993.

One of the functions of the United States Secret Service is to investigate the counterfeiting of US currency. At present, in the Detroit metro area, there are a number of counterfeit notes in circulation. One helpful investigative tool the U.S. Secret service has, is the knowledge of the general public on detecting counterfeit currency before it is passed, and the ability to identify the suspected passer. There are a number of basic elements on a genuine note that are omitted or poorly printed on a counterfeit and these items should be known to everyone who deals in cash transactions.

All genuine currency has red and blue fibers in the paper. These red and blue fibers are visible to the naked eye and can be removed with a sharp object. Counterfeit currency generally does not have the fibers; but, if they appear they are probably drawn or printed on the paper.

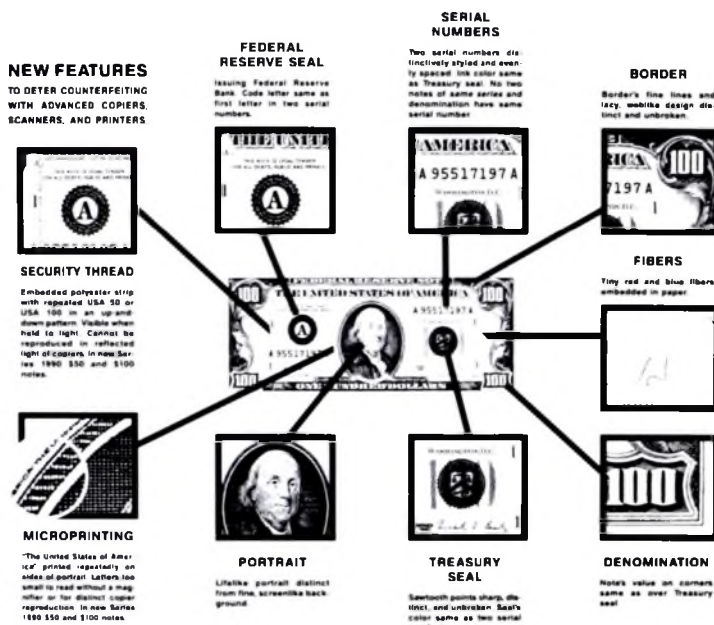
Genuine currency has a relationship between many features on the front of a note. This is called the triangular crosscheck. There is a number that appears in

"2" and the second letter of the alphabet is a "B", then a "B" should appear in the center of the federal reserve seal. The third part of the triangular crosscheck is that

All genuine currency printed after 1990, with the exception of the one dollar bill, will have a line of microprinting appearing on the rim or outside of the portrait. This microprinting contains the words "The United States of America" repeating themselves along the sides of the portrait.

Secondly, all genuine currency printed after 1990, with the exception of the one dollar bill, will have a polyester thread incorporated into the paper running from top to bottom of the face on the left of the federal reserve seal. Of you hold the note up to a light source it will be plainly visible. The security thread has the word "USA" and the denomination visible.

These are few of the common areas to examine on currency when concerned that a note is counterfeit. In addition, if you should detect that a note is counterfeit and the suspect is still there please call the United States Secret Service at the 24 hour number 313-226-6400.



the four inside corners on the face of each note. This number, which can be 1 to 12, represents one of the 12 federal reserve banks that issue currency. The black seal on the left of the portrait is the federal reserve seal. Each federal reserve bank is represented by a letter of the alphabet and the number. If the number on the four inside corners is a

if the "2" appears in the four corners and the "B" appears in the federal reserve seal then the first letter of the serial number must be a "B"

Similarly, if a number "7" appears on the inside four corners, then a letter "G", being the 7th letter of the alphabet, will appear in the federal reserve seal and be the first letter of the serial number.

An Informative Press Release

Pen Detects Counterfeit Currency

BEVERLY HILLS, CA — September 9, 1993 — The Counterfeit Detector™ pen spots fake money instantly. By simply pressing the tip of the pen on the currency - U.S. and all major international currency - a gold dot appears, which evaporates in minutes, and means the bill is legitimate. However, a black dot indicates the bill is probably counterfeit.

The pen requires no batteries or electricity, relying instead on a chemical reaction with the paper. It conveniently fits in a pocket, purse or cash register. One Counterfeit Detector pen will test up to 5,000 bills.

Single unit pricing for the Counterfeit Detector pen is only \$9.95, bulk order pricing is available. A colorful display unit may be ordered by dealers. The Counterfeit Detector pen is available through Counterfeit Detectors, 9307 Wilshire Boulevard, Beverly Hills, Calif. 90211. Fax is (213) 658-4486.

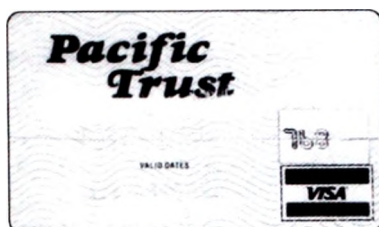




White background with dark and light green lettering.
No preprinted bank ID number.



Gold background with white lettering.
No preprinted bank ID number.



White with blue lettering and blue, wavy background design.
No preprinted bank ID number.



WARNING!!!

THESE CARDS ARE COUNTERFEIT!

DO NOT accept these cards for credit, payment, or cash advance! This is why:

1. The cards have been fraudulently manufactured.
2. None of the Visa cards has the required, preprinted bank ID number above the embossing.
3. The embossing, hologram, logo, and signature panel are substandard—but they give the appearance of a legitimate Visa card.
4. The embossed and encoded account information was obtained fraudulently.
5. Identification given, when requested, is usually a stolen or counterfeit driver's license, often from Kansas or Oklahoma.

(Please note, legitimate cards may have similar names and designs.)

To date, these and similar cards have been used for cash advances or purchases at banks or merchants all across the United States. The cash advances are usually obtained at small branch banks in suburban areas or small towns.

A number of suspects are in custody, and the U.S. Secret Service is investigating this scheme.

If one of these cards is presented to you, attempt to recover the card and any identification under peaceful means. Contact the nearest law enforcement agency.

YOU WILL BE REWARDED FOR YOUR EFFORTS!



Background shades from medium to light blue, white and blue lettering. No preprinted bank ID number.



Blue-grey with pale grey "Citizen" logo in background. Dark blue lettering. No preprinted bank ID number.



Maroon background with grey-white lettering.
No preprinted bank ID number.

Visa U.S.A. Inc., Fraud Control

02/01/93

Credit Cards

Visa cards are designed with special security features to deter fraudulent card use. Your vigilance in checking for these features is an important first line of defense against fraud. Visa suggests, that if at any time during a transaction, you're suspicious of the card or the customer for any reason, inform your supervisor or call your authorization center and ask for a Code 10 authorization.

"Code 10" is the standard way of alerting your authorization center that you have a suspicious transaction. Keep the card in your hand and be sure to follow the operator's instructions. If you are asked to retain the card, do it under peaceful means. Don't put yourself or your fellow employees in jeopardy.

Credit Card Phone Fraud

Merchants should also be aware of any calls from an "authorized center" asking for information. Credit card criminals call merchants, claiming that the system is down, and request the account numbers of cards pro-

cessed that day. Unsuspecting merchants have mistakenly given out a list of valid account numbers which are later used to make fraudulent charges by these credit card criminals. If you are ever contacted by someone requesting card account numbers, ask if you can return the call with the desired information. This gives you the opportunity to call your own authorization center to confirm the request.

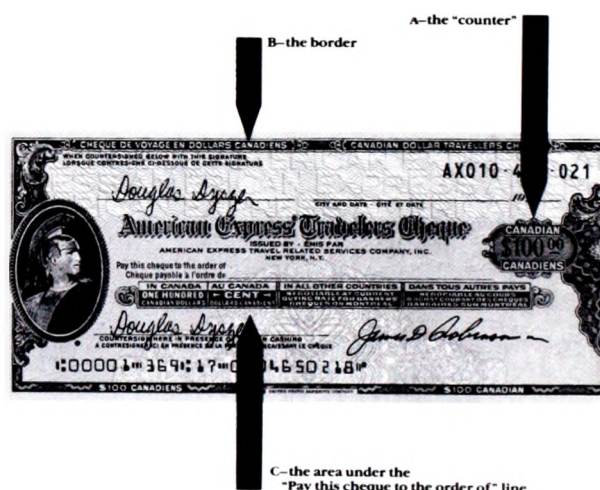
Also, if you handle any phone orders, be suspicious of orders requesting that you ship merchandise to a third party.

Travelers Checks

If someone wants to pay with travelers checks at your establishment, be sure to identify the currency in which it was issued. If you determine that the check was issued in foreign currency, all you have to do is multiply the exchange rate times the currency amount shown on the check, and give the customer the U.S. Dollars amount. Each international currency has a different exchange rate. To ob-

tain the daily exchange rates you can call 1-(800) 525-7623. The following is an example of how to identify a foreign currency American Express® Travelers Cheque.

these terminals, but there is something you can do to prevent the fraudulent use of your customer's credit card numbers after they purchase their gasoline from your establishment. By checking



C—the area under the "Pay this cheque to the order of" line

Island Card Readers

With the increasing demand by automobile owners for convenience when filling up, many brands have begun the Island Card program. There isn't much a dealer can do to prevent fraudulent payments through

these terminals, every so often, and removing any receipts you see unremoved, you prevent others from attaining your customers credit card number and using it for fraudulent purchases. ♦

BUSINESS FOCUS

By Larry Wright, L. A. Wright, Inc.

MARKET TO MAXIMIZE PROFIT



The methods used for gasoline profit management differ for the C-Store and the Full Service dealer. Since the C-Store is the simplest, we will start with that analysis.

Since C-Store ancillary sales are measured in sales per gallon, and those ancillary profits are referred to in cents per gallon, it is easy to see the direct relationship between gasoline volume and ancillary sales volume. (i.e., Few gallons mean fewer customers means fewer ancillary sales means lower gross profit at an alarming rate.) If the pool margin on gasoline volume is 8 cents per gallon, and ancillary sales produce an additional 8.4 cents per gallon in gross profit, we can readily see that each gallon sold is worth 16.4 cents and a dis-

ruption in gasoline volume sales could cost the C-Store operator \$164 per 1000 gallon drop. This analysis is important to the C-Store operator who wishes to manage for the greatest profit, since it is easy to project the outcome NEEDED for profit gain from variations in gasoline price changes.

If the C-Store operator with a \$19,970 profit demand makes 18.4 cents in combined gross profit on a gallon of gasoline, it stands to reason that he needs to sell 108,552 gallons in a month. As shifts take place in profit demand, ancillary sales, ancillary sales margins and gasoline volume offsetting changes can or should be made in pool margin. Using the prior example, should profit demand rise to \$21,000 and volume

drop to 105,000, combined gross profits must be adjusted to 20 cents per gallon. OR the decision to lower the combined gross profit to 16 cents would demand a resulting increase in volume to 131,250 gallons.

We have published worksheets for the C-Store profit analysis. Send \$5 (payable to "Sales Power") to C-Store Profit Analysis 28277 Dequindre, Madison Heights, MI 48071-3002, to cover postage and handling, and we will send a copyable supply of C-store analysis sheets.

On the other hand, the Full Service dealer needs to manage gasoline and ancillary sales profits separately from Oil, TBA, Labor and Road Service sales, since those categories of activity can be separately influenced in a way that would diminish or neutralize any effect gasoline volume variation would have on their sales levels. The key to the six product (3 products x 2 methods of selling-full serve and self serve) pooled analysis is to measure the results of each day's profit contribution toward a longer term TREND. I suggest using a 30 day period so your results will be tied to your monthly operating statement results. While daily profit results assist in your preview of your gasoline marketing profits, it falls short of your "need-to-know" in TREND long term projections, and is daily influenced by day-of-the-week, weather and other extemporaneous factors. While these variations will always be there, they must be seen in the light of a larger picture and therefore the necessity to measure TRENDS.

To get to TRENDS, using the monthly time frame, to measure how much "spendable" profit will come from gasoline by the end of the month based upon the results of the profits of the accumulating days of the month. Each day's profits added together and divided by the number of days in the test, and then multiplied by the number of

days in the month will tell you where you would end up in profit by the end of the month at the rate you are going.

Gasoline profits for 7 days of \$2,865 = \$12,278 by month end

8 days of 3,249 = 12,183 by month end

9 days of 3,622 = 12,073 by month end

10 days of 4,011 = 12,033 by month end

Since this example indicates a TREND toward reduced profit results during the selected time period of 30 days, it also indicates some need to adjust pricing to reverse this TREND. This could entail price increases in certain products as well as possible decreases to promote volume to overcome drops in "spendable" Note, however, that the number of gallons pumped do not enter into this formula but instead are addressed as a result of marketing to maximize profits. Volume could go up or down during the pricing maneuvers necessary to enhance gasoline spendable profit.

The idea is to maximize profit for the sake of profit, not gallons for the sake of gallons.

Since finding gasoline "spendable" differs slightly from pool margin because it includes a variable sales tax into the cost of gasoline, it makes the formula a little more complex. Since TREND of "spendable" on gasoline is the goal for knowledgeable pricing decisions, we have developed a worksheet to assist you in gathering that information each day. If you don't already have this test for TREND on your computer, send \$5 for postage and handling (payable to "Sales Power") to Gasoline Profit TREND Analysis, 28277 Dequindre, Madison heights, MI 48071-3002 and a copyable worksheet will be sent to you by return mail. ♦

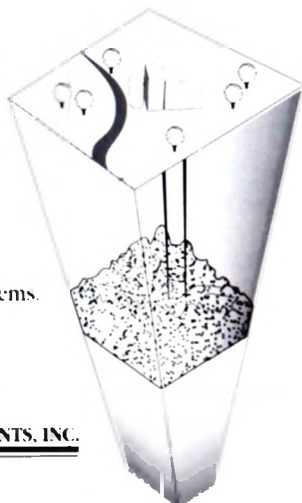
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SAFETY TIPS

by Robert Sturdevant, Dodson Group

HOW TO AVOID BACK INJURY

You don't have to lift heavy objects eight hours a day to risk injuring your back. The potential for back strain or injury exists with any activity at work or home if you don't use your back properly.

Humans don't have the structural advantage of walking on all fours, and our low backs must bear the brunt of the body's weight. The key to avoiding back strain and injury is to be aware constantly of how you are using your back.

Remember, "safe lifting" means keeping your back aligned while you lift, reach or bend your ears, shoulders and hips should be kept in a straight line. For example, if you bend at the waist and extend your upper body to lift an object, you upset your back's natural alignment and your center of balance. This forces your spine to support not only the weight of your body, but the weight of the object you're lifting. The following techniques can help you protect your back from pain and injury while lifting.

Easy-to-reach objects, weighing less than 25 pounds: 1. Stand close to the load with your feet apart for proper balance. 2. Bend your knees, keeping your back as straight as you can. 3. Get a good grip. Many lifting accidents occur because the object slips from the hands! 4. Lift smoothly and not too quickly, straightening your knees until you're standing erect. Use your leg muscles rather than your back because the leg muscles are stronger. 5. Avoid twisting your body while lifting. To change direction, move one foot at a time and turn using with your leg muscles. 6. Be sure the load is secure and will not fall, tip over, roll off or get in someone's way. 7. If the object weighs more than 25 pounds, use mechanical

help.

Long objects that are relatively light: 1. Don't hug the load close to your body. 2. Support it on your shoulder, keeping the object's front end higher than the rear.

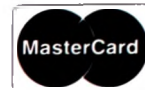
Hard-to-reach objects: 1. If the object is above shoulder height, use a step stool or ladder. 2. If the object is on a shelf, test its weight. If 25 pounds or less, slide it toward you and hug it close to your body as you descend the ladder or step stool. 3. If possible, hand it down to a waiting co-worker. 4. If more than 25 pounds, use mechanical help.

Reaching into a bin or container: 1. Stand with your feet at shoulder distance apart. 2. Bend your knees slightly and start to squat, bending at your hip joints, not at your waist. 3. Slide the object as close to your body as possible and raise yourself using leg and hip muscles. 4. Tighten abdominal muscles as you lift. 5. If possible, rest your knees against side of the container for additional support.

In General: 1. Be constantly aware of your posture and correct it often. 2. Avoid excessive swayback at all times. 3. If you have to stand for long periods, stand with one foot elevated on a box or stool. Change positions often. 4. Help relieve unnecessary back strain by keeping your weight down and exercising regularly to build strong, supporting abdominal and leg muscles. ♦



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SOCIAL SECURITY Q&A

By William M. Acosta, Copley News Service

PHYSICIAN SERVICES

Q. How does Medicare determine its approved amounts for physician services?

A. Medicare's system for paying physicians is based on a national fee schedule. The schedule, which went into effect on Jan. 1, 1992, assigns a dollar value to each physician service based on work, medical practice costs and malpractice insurance costs. Each of these three factors is adjusted for the geographic variation in costs.

The fees that appear on the schedule are the Medicare-approved amounts for more than 7,000 physician services covered by Medicare. Each time you go to a physician for a covered service, the amount Medicare will recognize for that service will be taken from the national fee schedule.

Medicare generally pays 80 percent of that amount after you have met the annual Part B deductible. You are responsible for the other 20 percent, as well as all permissible charges in excess of the Medicare-approved amount.

Q. I have heard a rumor that Social Security benefits may be taxed at the rate of 85 percent. Is this already in effect?

A. The Omnibus Budget Reconciliation Act of 1993 increases the percentage of Social Security benefits that may be taxed from 50 percent to 85 percent for individuals with income over \$34,000, and for couples filing jointly with income over \$44,000. The new 85 percent level goes into effect on Jan. 1, 1994, and will apply in benefits received in 1994.

Individuals whose income is between \$25,000 and \$34,000, and couples with income between \$32,000 and \$44,000 will continue to pay taxes on up to 50 percent of their benefits. For purposes of taxing benefits, "income" is the sum of a taxpayer's adjusted gross income (as reported on IRS Form 1040), plus any tax-exempt interest income, plus

50 percent of the taxpayer's Social Security benefits.

Q. My husband and I are leaving on a three-month motor home trip around the country next July. It occurred to us that three months of Social Security benefits will be mailed to us when we're on the road - and we don't have direct-deposit. Is it too late for us to change to direct-deposit?

A. No. It usually takes about two months for a direct-deposit request to be processed. It depends upon when you call Social Security during the month. To request direct-deposit, call Social Security's toll-free number, (800) 772-1213, any business day between 7 a.m. and 7 p.m. When you call, the Social Security representative will ask for your Social Security number, your address and the name of your bank, and your account number, so have the information handy.

Q. My 16-year-old disabled daughter, who has no income, lives with me. Is she eligible for Supplemental Security Income (SSI)?

A. She might be. It depends on your total family income, and how many other children are in the house.

Check with Social Security at (800) 772-1213, business

days between 7 a.m. and 7 p.m.

Q. A co-worker asked me if I was "fully insured" for Social Security retirement benefits, but I wasn't sure how to answer him. How can I find out if I am fully insured? I am currently 35 years old.

A. You are fully insured for Social Security retirement benefits when you have earned credits for a certain amount of work under Social Security. To attain fully insured status for retirement benefits, 1 credit is required for each year since 1950, up to a maximum of 40 credits. For individuals retiring in 1991, and later, they will need 40 credits, or 10 years, of work to have fully insured status.

Q. My husband decided to work past the normal retirement age of 65. He has a health insurance plan where he works, and is also enrolled in Medicare. I recently turned 65 and have enrolled in Medicare as his spouse. It now appears that I will need surgery within the next few months. Will Medicare help pay for some of my medical expenses while I'm hospitalized, or will I have to rely totally on what his company medical bene-

fits pay?

A. If you are covered under the group health plan of your husband's employer, the regulations state that Medicare cannot pay for services covered under the group plan.

The group health plan must pay its benefits first and Medicare may then help pay for services that the group plan does not cover, or which it does not pay in full.

Q. They have just told me that I will be able to get Supplemental Security Income (SSI) checks. What other assistance can I get to help me with my living expenses?

A. To help you with your living expenses, you may want to apply for food stamps if you have not already done so. In addition, if you are not eligible for participation in the Medicare health insurance program, you may want to consider Medicaid. In many states, if you are eligible for SSI, you also are eligible for Medicaid. The local medical assistance office can tell you about eligibility for that program. You also may be eligible to receive social services from your state or county. Contact your local social services department, or public welfare office, for details about that. ♦

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SERVICE QUARTERLY OUTSTANDING EMPLOYEE CONTEST



Employees need to be recognized for the hard work and dedication they offer their employers, and SSDA-MI gives you an easy way to accomplish this recognition. All you have to do is be a member, select your employee, and tell us, in fifty words or less, why your employee should be the winner of the Service Quarterly Outstanding Employee Contest.

The winner will be selected from all entries submitted before the deadline of the upcoming publication. (The next deadline is January 15 for the February 1994 issue.) All entries received after the deadline will be considered for the next issue. Winners will be profiled in *Service Quarterly* and will receive a certificate for dinner, merchandise or other valuable prizes.

So choose, write and send (or fax) in this form for your outstanding employee and give them the recognition you've been meaning to! Return form to:

SSDA-MI
200 North Capitol, Suite 420
Lansing, Michigan 48933
Or fax it (517) 484-5075.

**Please Consider My Employee for the Service
Quarterly Outstanding Employee, because:**

Employee Name: _____ Title or Job: _____

Years with Company: _____ Company Name: _____

Company Address: _____

Company Phone: _____ Your Name: _____

MONEY TALK
CONTINUED FROM PAGE 11

particularly for ethnic or artistic artifacts. The majority of museums offer discounts to members. The fee for membership ranges from \$10 to \$50 in most cases, and if you intend to buy several expensive items or the museum is in a convenient location for regular visits, then the membership may be worthwhile.

Some interesting catalogs: The Studio Museum in Harlem. Situated in the heart of Harlem, this museum's catalog has artifacts from African, Caribbean and Latino cultures. Items include Kente cloth tie and cummerbund sets, an Ashanti lovebird pendant and a Sojourner Truth pin. Victoria & Albert Museum. The catalog for the world famous London museum includes "whimsical" Queen Elizabeth I tea cozies, authentic Bakelite phones and a number of linens, books, clothing, furniture and more. The Country Music Hall of Fame & Museum. Near the heart of Nashville, this 40-page catalog lists "The Patsy Cline Collection" or "The Garth Brooks Compilation Video." The Gerald R. Ford Museum. One of the several presidential museums, the museum dedicated to the 38th president offers merchandise such as American flag lapel pins, 13-ounce earthenware mugs with Ford's signature and the biographies of both the former president and first lady Betty Ford. ♦

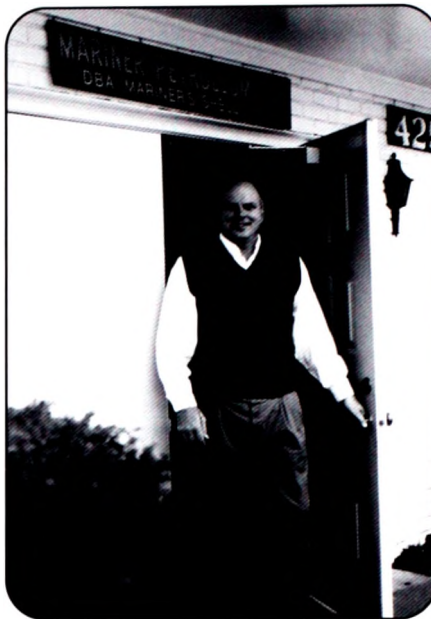
DEALER PROFILE
CONTINUED FROM PAGE 5

S.Q. What do you see for the near future of your industry?

T.M. I've given that a lot of thought. I haven't come up with any solutions. It's a little scary because it is changing so fast. Long term - I'd say the future is very uncertain. As far as the near future for me, I would like to obtain two or three more units.

But, as bad as things can seem to be sometimes-I couldn't come up with something I'd rather be doing. Or anything - with my area of knowledge and expertise - that would make me a better living. I think as a group [of dealers], we are pretty lucky to do as well as we have and to have this organization that can help us to continue to the business. I think overall we do better as a group than the average people in society do.

T.M. One of our Shell locations has the island card readers. Initially, I didn't like the idea. But the customers really seem to like it. And I think, soon it will become a requirement, or deal-



ers will find a loss of a lot of business from those customers that want that convenience. It does do away with a lot of the personal em-

sales because of the lost contact. But the station with the island card readers has very high volume. It has reduced the time that people have to wait in lines to pay for their gas. And has worked in reverse. I think when they do have the need to go into the store, they find that the lines are not as long and they like that.

S.Q. How does being a member of SSDA-MI help you in your business?

T.M. It's helped me keep abreast of industry changes. Being a member makes me one of the first to know about changes in our industry, rather than one of the last. It has opened my eyes to the fact that when you get involved at a grass roots level you can really make a difference. Few people in the country believe that, but I've seen it happen. The association really helps all dealers.

It's so hard to let those non-member dealers know of everything the SSDA-MI has done that benefits them over the years. For example, the recent AET legislation. Because of the lobbying of the SSDA-MI, it looks like, if the testing does become a requirement in our area, we may have an opportunity to participate. That is something that never existed before, and the SSDA-MI worked for that.

One of the main benefits of the association is that it gives dealers an opportunity to meet with other dealers in similar situations and come up with solutions. Rather than going through hard times using trial and error methods, an owner/operator is able to talk to many people within the association who are available with answers and who are helpful in coming up with solutions. ♦

"I think overall we do better as a group than the average people in society do."

S.Q. What type of new technology have you implemented into your facilities?

Employee-customer contact which is one of the big reasons that we stay in business. We have had some concerns of possible loss of

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BCBS Coverage through SSDA (compared to private policy)	4,800	—	3,600	—	1,200
Service Quarterly Magazine	40	—	0	—	40
Service Monthly Newsletter	60	—	0	—	60
Tank Manual	99	—	19	—	80
Visa/MasterCard Program (\$100,000 in charges per year)	4,200	—	2,400	—	1,800
Telephone Program	N/A	0	—	1,000	1,000
Dodson Rebate (Average Yearly Rebate)	N/A	0	—	600	600
IF YOU USE SSDA-MI, WE CAN MAKE/SAVE YOU					\$5,646

APPLICATION FOR MEMBERSHIP

I (We), by submitting this application and the payment of scheduled dues, hereby apply for membership in the Service Station Dealers Association of Michigan, Inc.

BUSINESS NAME: _____

BUSINESS ADDRESS: _____

CITY: _____, MI ZIP: _____ PHONE: () _____

COUNTY: _____ TYPE OF OWNERSHIP: ☐ NON-CORPORATE ☐ CORPORATION

STANDARD MEMBERSHIP ONLY:

TYPE OF GASOLINE SOLD: _____

TYPE OF BUSINESS: ☐ Full Service ☐ Pumper ☐ Repair Facility ☐ Car Wash ☐ C-Store

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☐ Other _____

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RESIDENCE ADDRESS: _____

CITY: _____, MI ZIP: _____ PHONE: () _____

NAME: _____ TITLE: _____

RESIDENCE ADDRESS: _____

CITY: _____, MI ZIP: _____ PHONE: () _____

ANNUAL MEMBERSHIP DUES:

____ \$41 monthly (Electronic Banking)

____ \$480 annual payment

Add \$120 per station after 4 stations

ANNUAL ASSOCIATE MEMBERSHIP DUES:

____ \$25 monthly (Electronic Banking)

____ \$250 annual payment

Signature Date

Signature Date

AD INDEX

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Advertiser	Page
A&S Heating & Cooling	7
Arrow Uniform	4
Beckler Consultants	14
Blue Cross Blue Shield of Michigan	2
Comerica Bank	15
Davidson Sales & Maintenance Co.	8
Dodson	15
Eby-Brown	16
Hawkins Equipment	17
Lawrence A. Wright, Inc.	24

Advertiser	Page
Mellema's Service Station Maintenance, Inc.	16
Parks Installation Co.	6
Pro-Tank Technologies, Inc.	10
Sunrise Tank Testing	9
Superior Environmental	11
Tell-a-leak	9
The Oscar W. Larson Co.	21
Tire Wholesalers	16
Visser's Tank Testing, Inc.	19

LAW TALK

CONTINUED FROM PAGE 9

must be paid. If not, the garage keeper may hold on to the vehicle, give notice to the owner and other lien holders, and then sell the vehicle at auction. The proceeds pay for the repairs, with the balance paid to the owner.

Of course the statute is a bit more complex than that. So let's walk through the act to see more precisely how it works.

The statute (MCLA 570.301 et. seq.) applies to any garage keeper who repairs or stores a vehicle. It allows a lien to be impressed against the vehicle so long as the owner of the vehicle requested repairs or storage (no lien is available if repairs are requested by a non-owner). The lien is impressed simply: the garage keeper simply holds on to the vehicle. There is no paperwork or fancy legalisms. A garage keeper may keep a vehicle as security for payment of repairs so long as the repairs were performed within the past 90 days.

The lien is impressed by retaining the vehicle. The garage keeper may not take the car off the street or try to remove it from the owner's home. The vehicle must either be kept at the garage, or be voluntarily taken to the garage. In short, dealers can't steal the car to impress the lien. They must retain the vehicle at the site. The most simple method of impressing the lien is to refuse to give the customer the keys and store the vehicle at the station.

Once the lien is impressed, the garage keeper must send a notice to the owner of the vehicle. The notice is sent by certified mail to the owner's last known address. The notice should state that the garage keeper is claiming a lien, and provide an itemized statement of the charges due.

It should also state that the vehicle will be sold at public auction unless the charges are paid within 45 days of the date of the notice (the "grace" period).

If, after 45 days, the charges remain unpaid, the dealer may schedule the auction. The auction can be scheduled at any time, but no sooner than 20 days, or later than 60 days after the 45 day "grace" period expired.

At least 10 days before the date of the auction, the dealer must give written notice of the date of the auction to the Michigan Department of State; to any other person holding a lien on the car (the lien holders are registered with the Secretary of State and a list can be obtained for a nominal fee); to the registered owner of the vehicle. The notice to the owner must be by personal service or certified mail; the others can be notified by first class mail. The notice should state the date, time and place of the auction, and a description (model, VIN) of the vehicle being sold.

The auction is a simple proceeding. The auction is held at the garage site. The "auctioneer" simply stands at the station at the appointed time, and asks if there are bids. The dealer may bid on the vehicle (and usually will be the only bidder). However, the amount of the dealer's bid is set by law. The bid must be for the fair market value of the vehicle, or the repair costs, whichever is greater. Thus, a car worth \$5,000 cannot be sold for a \$600 repair bill.

The proceeds of the auction are paid first to the garage keeper, then to any other lien holders (if they have given notice of their lien) with the balance paid to the registered owner of the vehicle.

As a practical matter, the garage keeper is likely to be the only person bidding on the vehicle. The garage keeper then buys it, (noting the obligation to bid the greater of fair market value or the value of the repairs) and may register it as the owner. The vehicle may then be resold, with the garage keeper keeping any profit.

This article did not deal with questions about lien "priorities." But it is important to know that the garage keeper's lien is a first lien under nearly all circum-

stances. In short, the garage keeper is (usually) the first person paid.

Dealers reading this may well want to check with the Association before exercising their lien, to make sure that there are no unique circumstances that would prevent their use of this right. Still, the garage keeper lien is a very powerful tool. It is not often used, because the mere threat of sale often prompts customers to pay their bills. But if used properly, it can insure that dealers get paid for their work. ♦

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**AET LEGISLATION PASSES
CONTINUED FROM PAGE 1**

This outcome is a positive one for both small business and the motoring public of SE Michigan. With this legislation, consumer choice, consumer convenience and increased consumer protection is included to make sure the best possible test can be given and still remain under compliance of the E.P.A. requirements. This bill has come a long way from the proposed version 18 months ago, and thanks to the consumers, active members and a few strong Representatives and Senators, a positive outcome was reached.

HB 4165

This bill is only directed for the west side of the state, and will require: 1. Biennial centralized testing, 2. I/M 240 equipment, 3. Muskegon, Ottawa, and Kent counties, 4. Test fee of \$24.00 max

This bill also includes many contingencies to allow the state to suspend the requirements of this act. They are as follows:

A. The DNR shall submit a request for redesignation for the western three counties in the MI area by November 14, 1993. 1. While under formal redesignation request to the E.P.A., the time clock for implementation will not start. This allows other actions to continue, such as, the national court case against the E.P.A. regarding the 50% reduction in a test and repair network VS the centralized network. 2. If the application for redesignation is approved, implementation of that act is suspended. It shall only be implemented if required as a contingency measure when there is observation of an actual violation of the ozone air quality standard.

B. If it is proven by data that all the emission problems are from transport (coming across lake Michigan from Chicago) and no emission reduction would be evident by implementing this pro-

gram then it will not take effect.

C. The state should pursue judicial relief from the E.P.A. regulations so as to not have to implement this program.

D. Implementation of a vehicle emissions inspection and maintenance program authorized by this act shall be suspended if the classification of the Grand Rapids and Muskegon ozone nonattainment areas are adjusted from moderate ozone nonattainment areas to transitional or marginal nonattainment areas by the environmental protection agency pursuant to its authority under section 181 of the clean air act, or if the environmental protection agency determines that a motor vehicle emissions inspection and maintenance program is not applicable, or is not necessary for either of these areas to meet the requirements of the clean air act.

It was only with these contingencies in place that this bill could pass either the Senate or House. The general feeling was that the Western counties are only involved in this mandate because of transport of ozone from Chicago and should not be under these requirements. Hopefully one of these contingencies will prevail and western Michigan can opt out of this program.

When controversial issues (such as these two bills) are debated, it is easily determined who is on what side. A great deal of thanks goes to those Representatives and Senators who stood up for small business and were more concerned about their constituents than being blackmailed into passing bad laws by the E.P.A.. We can testify that there are still some existing elected officials that will not knuckle under to pressure, but will vote their conscious as they were elected to do.

As the implementation of these acts take place, and as the answers come in from E.P.A. on redesignation, further bulletins will be sent out. ♦

See related article on page 6.



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Melanie Disa

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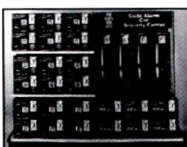
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incomprehensible instructions.

This fall Code-Alarm, Inc. will begin marketing six new vehicle security products that retail for under \$100 at auto parts stores and mass merchandise stores nationwide. The systems include: Cop In A Box, a line of three install-it-yourself electronic security systems and one stand-alone starter-prevention system, and Cop In Your Car, two anti-theft steering wheel locks.

Code-Alarm, Inc. manufactures vehicle security systems that are marketed through more than 10,000 General Motors, Ford, Chrysler, and Mitsubishi dealers. It also sells vehicle security systems through automotive retail stores and mass merchandisers under the Code-Alarm, Mirage, Chapman, Scorpion, Falcon, Ziebart and Anes brand names.

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Omnigraphics will publish the 1994 International Supplement to the National Directory of Addresses and Telephone numbers in early 1994. This new international directory (300pp./\$60) contains thousands of listings for major companies

and business-related services worldwide.

Entries include complete mailing addresses, telephone and fax numbers, and other details to speed communications by mail, phone, or fax. The accurate and current entries are enhanced with charts and maps and other information regarding time zones, currencies, and weights and measures.

National Directory of Addresses and Telephone Numbers 1994: International Supplement. About 300 pages. Published by Omnigraphics, Detroit, 1994. ISBN 0-7808-0013-3. \$60. (Ready early 1994)

GLARE-OUT



Glare-out from Travaco Laboratories is a unique solution which is applied to the inside of a windshield. It slightly bends light waves eliminating straight light rays which cause painful glare. The intensity of oncoming headlights is reduced.

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Glare-Out was tested as an optic cleaner in the Eye division of Massachusetts General Hospital. Surgeons found it to reduce glare, eliminate fogging and leave no mineral, chemical or waxy film. The solution leaves no film or murky residue which can distort vision.

Suggested retail price of a handy pocket-size 2 oz. bottle of Travaco Laboratories Glare-Out is \$6.98. It is also available in 8 oz., pint, quart and gallon sizes. From Travaco Laboratories, Inc., 345 Eastern Ave., Chelsea, MA 02150.

CR RELEASES CATALOG



Over 160 new seal and bearing part numbers have been added to CR Service's new Automotive, Light and Medium Truck Catalog (#457205). New car and light truck models covered in this edition include six new domestic and 14 new import models from Honda,

Lincoln, Infinite, Chrysler and Toyota. The catalog has been updated to include grease seal, Speedi-Sleeve and bearing applications through 1993 whenever possible. It also includes three new bearing sets-BR50, BR51 and BR52 - for popular cone/cup combinations. In addition, 34 new spindle hub units for wheel applications are also included.

For complete information about seals and bearings for automotive, light and medium truck applications contact CR Services, 735 Tollgate Road, Elgin, Illinois 60123. Or call CR Services at 1-800-882-0008.

EQUIPMENT GAS DISPENSING NOZZLE



Saber Equipment Corp., a Connecticut-based company, has developed an innovative fuel dispensing nozzle that is the first to incorporate electronic conveniences and safeguards at the point where the consumer controls the flow of gasoline. The Saber 'bellowless' nozzle was designed to be lightweight, highly durable and easy to use. It will also help an estimated 30,000 gas stations meet Stage II vapor recovery regulations mandated by the Clean Air Act of 1990.

The Saber nozzle is being marketed exclusively in North America by OPW Fueling Components, a Dover Resources Company. OPW will market the nozzles under the TURBO brand name.

'303'



303 PRODUCTS, INC. announces the successful completion of the largest advertising campaign for a chemical line ever run in the

Recreational Vehicle aftermarket.

"The four color, full page, direct response ads really pulled for us", disclosed company spokesman Dennis A. Praegitzer. "Statistically, direct response advertising creates 22 off-the-shelf sales for every direct response order. The program had a tremendous effect on aftermarket sales".

The full page ads ran in the 3 largest circulation RV consumer magazines, over 1.3 million audited copies each month in the U.S. and Canada with a much larger readership and substantial carryover into both Auto and Marine. The ads, beginning in June, featured 303 Wiper Treatment and 303 Instant Windshield Washer Tablets.

Contact: 303 Products, Inc., PO Box 966, Palo Cedro, CA 96073. USA, (800) 223-4303, (916) 549-5577 (fax)

TRU-CUT

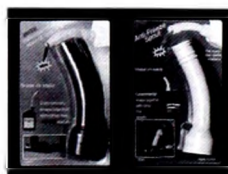


The new URB9000 Ultra-Ramp®, a heavy-duty ramp ideally suited for today's vans, light trucks and cars has been introduced by Tru-Cut Automotive.

The patented URB9000 Ultra-Ramp® has a sleek aerodynamic profile ideal for today's vehicles with lower ground clearance. The Ultra-Ramp® also has numerous built-in safety features including improved traction, more prominent wheel stops and a sturdy steel brace.

For complete information about the new URB9000 or the UR6500 for passenger cars, contact Tru-Cut Automotive, P.O. Box 1240, Salem, Ohio 44460. Phone 1-800-634-RAMP, (216) 332-8581 or fax 216/332-5326.

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For more information contact Snapco, Inc. at One East 9th, Hutchinson, Kansas, 67501, (316) 665-0066.

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The Hot Tools HK-60 Hot Knife sells for \$38.52 (list) including the tip. Replacement tips cost \$7.95 each. Literature is available upon request.

For more information contact: Hot Tools Division of M.M. Newman Corporation, Charles F. Loutrel, Sales Manager, 24 Tioga Way / P.O. Box 615 Marblehead, MA 01945 TEL (617) 639-1000 FAX (617) 631-8887

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