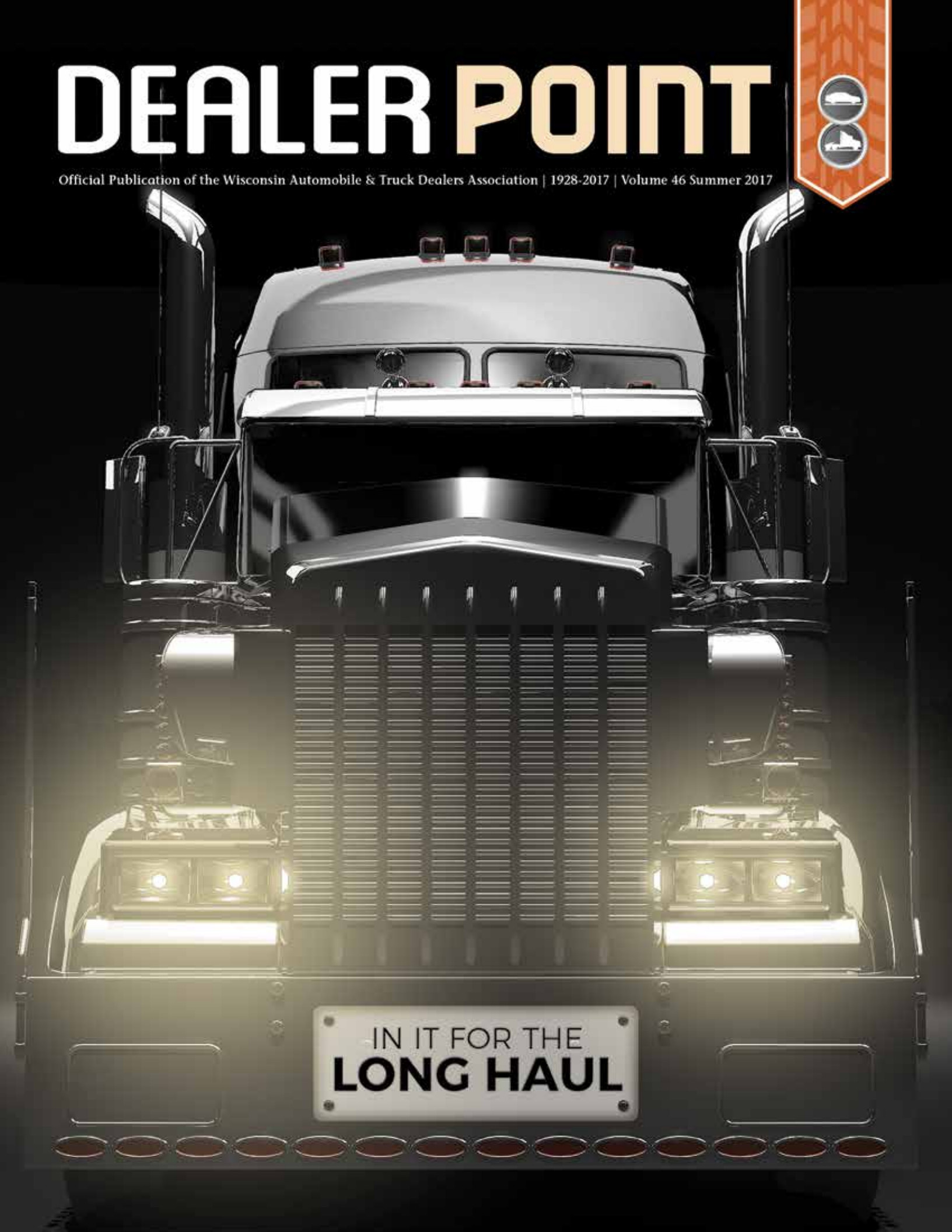
DEALER POINT

Official Publication of the Wisconsin Automobile & Truck Dealers Association | 1928-2017 | Volume 46 Summer 2017



A publication of the Wisconsin Automobile & Truck Dealers Association focusing on the human side of the membership and trade.

Our Mission:

The Wisconsin Automobile & Truck Dealers Association, an organization of licensed dealers of new and used motor vehicles, is dedicated to advancing the common good of its members, consumers and their communities by promoting professionalism and prosperity through education, advocacy, information and service.

Dealer Point is a publication of the Wisconsin Auto & Truck Dealers Association, 150 East Gilman Street, Suite A, Madison, WI 53703-1493. Phone: 608.251.5577. It is published quarterly by WATDA. Printing by Inkworks, Inc., Stoughton, WI 53589. For advertising information, contact Sarah Broske at the WATDA.

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FEATURE

DEPARTMENTS

The FOUNDATION
OF THE WISCONSIN AUTOMOBILE & TRUCK DEALERS ASSOCIATION

IN IT FOR THE LONG HAUL

When looking at the trucking industry, success is all in the eye of the beholder. With so many moving parts in the industry, one's success could be another's failure. This industry plays one of the most vital roles in the overall economy. It is an exciting time to be a part of a trucking industry with the amount of optimism and innovation in the future. Dealers and manufacturers who can keep up with the changing times will be in it for the long haul.

Seventy percent of freight tonnage is currently carried by trucks. Nearly every good purchased by consumers, at some point in the distribution chain, is carried and delivered by a truck. The trucking industry provides one of the most flexible means to deliver one product to another. In 2017, customers have become more sophisticated and are searching for greater value. Leaders in the trucking and transportation industries are continually striving for growth to provide customers with what they want while simultaneously keeping up with ever changing technology. This year, the market will end above the 200,000-registration mark, which is historically very strong. Along with technological innovations, are the changing needs and expectations of new employees entering the industry.

Truck and Automobile dealers alike are looking for ways not only to attract but also retain and develop great employees. Though this is not a problem singular to the trucking industry, specialized training creates extra problems when looking for and finding the right people to hire. Making an attractive workplace for the younger generation is on everyone's mind. Added benefits of interest at the workplace include unlimited paid time off, the ability to work remotely, control over scheduling, ongoing performance assessments, and professional development. As well as a holistic approach to wellness, choice in employee benefits and lifestyle solutions. Though these may not be ideal for every company, they are options to keep in mind when trying to solve staffing problems. How does your dealership execute changes to allow your business to be a more attractive place to work?

Almost all the original equipment manufacturers (OEMs) have introduced or are in the process of introducing new highway tractors. These new innovations bring a lot of excitement for customers and dealers, but also carry some inevitable burdens. Do customers hold off on purchasing trucks now and wait for the new product? How will new product pricing compare to similar specifications of current vehicles? What impact will new products have on trade values? These are common questions when a new product is introduced in any industry. How you respond to the innovations will ultimately decide your fate in the industry.

Recurring topics of discussion throughout the transportation industry are the concepts of semi-autonomous and autonomous vehicles. Along with cars, vans, and pickup trucks, come large trucks and tractors driving on their own. This wave of new connected technologies for long-haul trucks will trigger an economic boom over the next decade that has the opportunity to transform the industry.

70% **OF FREIGHT TONNAGE IS CURRENTLY CARRIED BY TRUCKS.**

IT IS PROJECTED THAT BY 2025, **AT LEAST ONE OF EVERY THREE NEW HEAVY TRUCKS** WILL HAVE HIGH-LEVEL AUTOMATION TECHNOLOGY **THAT ELIMINATES THE NEED FOR A FULL-TIME DRIVER.**

Among those new capabilities, it is projected that by 2025, at least one of every three new heavy trucks will have high-level automation technology that eliminates the need for a full-time driver. Those and other technologies will drastically reduce cost for trucking companies across the spectrum while increasing demand for new trucks. With this arrival of new technology and the growing demand, traditional players can expect more digitally focused newcomers to enter the market to provide advanced technologies and compete for contracts. These innovations will increase competition while also creating opportunities for established players along the entire logistics chain to compete for revenues.

Continuing to look to the future, the 2020 EPA mandate will be the next big "disturbance" to the industry. OEMs are racing to find ways to meet and exceed the standards, it is during these times we might expect to see shifts and changes within the industry. Heavy-duty trucks are the second largest segment and collectively make up the biggest increase in the U.S. transportation sector in terms of emissions and energy use. These vehicles currently account for twenty percent of GHG emissions and oil use in the U.S. transportation sector. Comparing current emissions to past, one truck in 1988 put off the same about of emissions as 60 trucks in 2017. Extensive work has been done to reduce these numbers, but there is still a lot to do to continue to meet the industry standards. Globally, emissions are growing rapidly and are expected to surpass emissions from passenger vehicles by 2030.

The trucking industry is continually growing and changing. As an integral role in the product distribution chain, trucks and tractors have a high demand. If manufacturers and dealers can keep up with customers' expectations and government regulations, it will be a smooth ride into the future.

WATDA INSURANCE TRUST
Contributes $1 Million to the WATDA Foundation

Members of the WATDA Insurance Trust presented the Foundation of WATDA with a million-dollar check at their summer board of directors meeting. Trustees, Ron Boldt and Frank Porth were on hand to make the momentous gift to Foundation Chairman Frank Hallada, Vice Presidents Gary Beier and Kara Nania as well as WATDA Chairman Bob Clapper. (Trustees not pictured are David Brantmeier, Don Larson and Bill Sepic) The gift comes following the closure of the WATDA Insurance Trust after 69 years of operation.

WATDA Insurance Trust Chairman Ron Boldt said, "This gift is a result of all the dealers, employees and their family members that used our insurance products. We know the money will be used to benefit those people and our greater family going forward."

The WATDA Insurance Trust and its wholly owned Insurance Corporation began winding down after the recession of 2009. The stock market crash, the great recession, manufacturer bankruptcies, and ObamaCare all coincided to create the perfect storm that would not allow for the corporation or the trust to rebound. The WATDA Insurance Corporation closed its doors in 2010. After the WATDA Insurance Trust allowed trailing bills and claims to be paid, they too closed their doors at the end of 2017. The WATDA Insurance Trust touched thousands of lives and provided services to the Wisconsin dealer body for almost 70 years. The foresight of the Trustees to terminate operations prior to financial hardship, allowed the Trustees to distribute unused assets to benefit our dealer base and citizens of Wisconsin for years to come.

The $1 million contribution to the Foundation of WATDA has been set up as a donor advised account and will be directed by an advisory committee composed of seven people. Those seven people will be a combination of WATDA Insurance Trustees and WATDA executive board members. Watch for more news regarding other gifts in the near future. ●

"The WATDA Insurance Trust touched thousands of lives and provided services to the Wisconsin dealer body for almost 70 years."

Dear WATDA Members and Friends,

It is my pleasure to welcome our new Foundation Vice President, Kara Nania.

Kara comes to us with a wealth of experience in both non-profit and for-profit business management. Her ability to research and determine what goes into the 'big picture' is guaranteed to take this Foundation on to new and productive horizons in the future.

You will soon discover that Kara's energy and enthusiasm for our industry is a real asset. Please extend her all the courtesy and support that you have shown me over the past thirteen and a half years.

I have no doubt that together, you and Kara will continue to make this Foundation a bright light in Wisconsin's transportation industry.

Sincerely,
Gary R. Beier

CenterStage

AWARDS, HONORS, MILESTONES

Plach Automotive Hits 30 Years

Celebrating three decades in business, Plach Automotive has plenty more to go. Dan Plach, 47, has spent half his life working at Plach Automotive. His father, Charlie Plach, started the business in 1987 and continues to work at his original dealership in the village of Coloma. Plach Automotive remodeled its showroom in 1989, added a service department in 1997, and remodeled again in 2012.

To mark the 30th anniversary, Plach Automotive allowed New London High School students in DECA, Culture Club and FFA to hold three brat fry's in the Plach parking lot. The business gave matching donations that led to each student group bringing in hundreds of dollars to help with their programming and travel expenses.

Russ Darrow Group Hits Number 1

Russ Darrow Group was again the No. 1 used car dealer in Wisconsin based on results compiled by Automotive News and published in the publications March 2017 issue. Darrow was ranked 43 in the country, selling 13,691 used vehicles in 2016, an increase of more than 3% when compared to the group's 2015 used car sales. Russ Darrow Group recently celebrated its 50th year in business. Russ Darrow Group owns and operates dealerships in Milwaukee, Appleton, Green Bay, Madison, Waukesha, Wauwatosa, West Bend, Greenfield, and Sheboygan.

Sommer Family to be Honored for Community Efforts

The Sommer family has deep roots in Ozaukee County, settling in the area in 1848. 60 years ago, it's family-owned gas station added auto sales to its business, and grew to become the SOMMER's Automotive Group. The dealership has been located on Mequon Road since 1978, with a new facility for the Subaru business added seven years ago.

The Columbia St. Mary's Foundation honored the Sommer family for its long tradition of giving back to the Ozaukee County community on June 22 with the Doerr Tradition of Caring Award. The award was presented at the Tradition of Caring event, held at the Watermark at Shully's in Thiensville. The event benefitted the Ascension Columbia St. Mary's – Ozaukee County emergency department renovations. The award is given to philanthropic individuals or groups in Ozaukee County. (ADAMM is a sponsor of the event.)

Please submit your awards, honors and milestones to: sbroske@watda.org

Colfax Chevrolet's New Owner Makes Three Generations

It's not often that you find three generations of owners working at a car dealership. Although the three owners, past and present, of what is now known as Colfax Chevrolet are not related, they tend of think of themselves as members of a family. With the selling of the dealership to each new owner, it as in the abstract that the previous owner must continue to be employed at the dealership. Throughout Wisconsin and Minnesota, it may be hard to find another dealership with the same structure.

L-R Scott Psak, Karl Rynish, Dave Hovre

Still Motoring Along

On Sunday, June 11th, Chester Shevey turned 100 years old. He said most people often guess wrong on his age and often by several years. He graduated from West Division High School in Milwaukee in 1936. He said he still has his original social security card. Also in 1936, Shevey began working at Nash Motors in Milwaukee and was there until 1942. He mostly worked on detailing of automobiles and sold cars off the lot. The first car he sold was in 1938 – a 1934 Dodge. In 1942, he left Nash Motors and started his own dealership; Shevey's Motors. He ran it until 2004 when he was 86 years old.

While in high school, he met his wife. They were happily married until her passing in 2003. If not for his wife, Shevey likely wouldn't have gotten into cars and the car business. His wife's family having a lot of cars piqued his interest and eventually became his career. Being active, having a kind heart and being loyal to faith were all factors Shevey believes allowed him to reach his 100th birthday.

Cedarburg-Grafton Rotary Awards $48,000 in Technical Scholarships

The Cedarberg-Grafton Rotary Club in partnership with the Mark G. Sellers Entrepreneurial Foundation, awarded $48,000 in scholarships to students enrolling in a technical college, vocational school or trade school. Jack Kirschnik of Cedarberg High School, Maxwell Lemaster of Grafton High School, and Seth Snyder of Grafton High School received a tool set valued at $3,800 provided through Wisconsin Automobile & Truck Dealers Association, in addition to the scholarships received by the Cedarburg-Grafton Rotary Club.

The purpose of the technical scholarship program is to help students who want to pursue a technical career. Criteria considered for these scholarships includes: effort and determination, coursework experience, job experience and need. They are available to students regardless of class rank.

Jerry Fiedler Celebrates '150th Anniversary'

By taking a walk into Fiedler Ford and passing through the saloon-style doors to Fiedler's half-wall office, one can see how the tradition of hard work and passion built his car dealership. Instead of a laptop, Fiedler has car magazines, model automobiles, a calculator, pens and photos of friends and family to decorate the desk that he has worked at for 40 years.

In this area, the name Fiedler is synonymous with automotive, Fiedler Ford is the only new car dealership in the county. While Fiedler may have learned a few tricks of the trade in Grantsburg, his expertise in the industry was molded by a lifetime surrounded by cars and learning every different aspect of automobiles.

One June 1, 1977, Fiedler walked into 204 East Madison Avenue in Grantsburg as the new owner of the Ford dealership. And, as a true leader, he knows the history of the building which was originally moved into in 1921, has been a Ford dealership since day one.

Badger Truck Equipment Achieves NTEA's MVP Membership Status

Badger Truck Equipment (BTE) recently achieved MVP status with the National Truck Equipment Association (NTEA) in July. Only 20% of all NTEA members have achieved MVP status. The NTEA has an established set of criteria that business candidates must meet to be considered for MVP status. This superior level of professionalism helps consumers and other companies decide which organizations they will conduct business with. NTEA's Member Verification Program (MVP) recognizes eligible companies in the work truck industry for outstanding business practices and successful implementation of quality standards. The application process requests documentation of up-to-date trainings in the work truck industry, relevant furthering education programs and positive safety records. Badger Trucking Equipment's MVP status will remain in effect for a three-year term. The MVP program has been endorsed by the NAFA Fleet Managers Association since 2011.

This Rawhide legend begins with **a cold call.**

Days after capturing his 1st NFL Championship, football hero Bart Starr received a call from an unfamiliar number. The man on the other end introduced himself as John Gillespie and briefly explained his program, a modest home for troubled boys in New London, WI, called Rawhide. Without thinking twice, Bart asked John to join him for dinner at his home in Green Bay so they could discuss further.

> **"Do you want to come to Green Bay right now?"** Bart asked.

In the early days of Rawhide, Bart brought a great deal of attention to the organization. He championed its mission, inspiring business leaders and fellow players to chip in. Eighteen of Bart's Packer teammates and nearly 100 Fox Valley business leaders came together at a luncheon on December 16, 1966 to secure the 700-acre campus Rawhide remains on today.

The list of Packer legends who attended the fundraiser is a Who's Who of gridiron giants:

Fuzzy Thurston, Elijah Pitts, Bob Long, Ken Bowman, Carroll Dale, Jerry Kramer, Hank Jordan, Jim Taylor , Boyd Dowler, Tommy Crutcher, Herb Adderley, Zeke Bartkowski, Doug Hart

Bart again pledged his support in 1968. At the time, Bart only made $10,000 playing football; however, by capturing the MVP of Super Bowl II, Bart won a brand new, fire-engine red Corvette.

> **"Bart never had an agent, not in 16 years, and he never had any money either,"** Cherry said.

Though driving a family station wagon at the time, Bart and his wife Cherry raffled off the Corvette with all proceeds going to Rawhide. Tickets were sold for $1 apiece. In 1968 Green Bay, Wisconsin, the population sat at about 47,000. The raffle brought in just over $40,000 in three days, lifting Rawhide out of debt, allowing John and his wife, Jan, to focus on serving youth, not fundraising.

> **"The Gillespies actually gave us the best gift of our marriage,"** Cherry said. **"We're so thankful they asked us to help."**

Rawhide's healthy, loving home environment continued to grow through the early 1980s, and expenses again started to add up. John and Jan enlisted Bart to star in a pair of commercials advertising a new donation program to support the Ranch. The ask? Cars. Bart actually owned two Lincoln Mercury dealerships in Alabama; his experience in the industry proved invaluable. The fundraiser was an immediate success and spawned Rawhide's trademark vehicle donation program that supports hundreds of at risk youth and families every year. WATDA was an original partner and expanded the program statewide in 1987 by adding 100 donation collection sites.

Bart and Cherry remain dedicated as wonderful role models for hundreds of boys who have gone through Rawhide's programs. WATDA also holds a special place at Rawhide. We wouldn't be around today without its supportive and generous members.

Thank you!

Experience the Bart Starr legendary tradition at rawhide.org/rawhidemvp

"I don't think we can do anything more important than helping youngsters in need." - Bart

RAWHIDE

NADA Director's Report

BY BOB HUDSON

The 2017 summer Congressional recess presents a unique opportunity to meet with our elected officials in our dealership stores and on behalf of WATDA, I encourage all dealers to make an appointment as soon as possible. As dealers, we deliver in-person customer service that people can't get through a computer screen; we are equipped to handle warranty and recall repairs; we incur billions of dollars in expenses for equipment and facilities and we, unequivocally, reduce consumer costs through a competitive model that makes purchasing an expensive new car possible through dealer-assisted financing. For more than 100 years, consumers have relied on auto dealers to deliver the most efficient and cost-effective means of buying a car.

Let us make sure that our Members of Congress know this before they enact legislation that deeply affects our business.

One such legislation centers on the FET tax and it can greatly impact truck dealers everywhere. As we know, the FET is a counterproductive tax that routinely adds $12,000-$22,000 to the price of a new heavy-duty truck. For the past few months, NADA/ATD have intensified the fight for the repeal of the FET on heavy-duty trucks. In June, truck dealers converged on Washington, D.C., urging members of Congress to co-sponsor a new bill introduced by Rep. Doug LaMalfa (R-Calif.): **H.R. 2946**, the "Heavy Truck, Tractor, and Trailer Retail Federal Excise Tax Repeal Act of 2017." This bill would effectively repeal the FET on most heavy-duty trucks, and help spur the production and sale of cleaner and safer trucks. This was a great first step but NADA's goal is to get FET repeal into the upcoming tax reform bill. The support and advocacy of truck dealers across Wisconsin is necessary to make this effort a success.

It is fortunate for us that Wisconsin's elected officials are currently here at home through September 5th meeting with people just like us. This year, there is a particularly important reason to host a Member of Congress this summer—*new self-driving vehicle legislation*. As stewards of our industry, we need to make sure legislation that establishes the federal role in self-driving cars is not too broad and state dealer franchise laws are preserved. We need to educate Washington officials on the importance of state franchise laws that help level the playing field between small business auto dealers—many of whom work in this great state—and large multinational auto companies.

There are many other important issues looming in Washington—tax reform, auto financing, FTC regulations, and many more. But this is our opportunity to build a line of communication with people who have the ability to make or break our industry. Visits with legislators take only about one hour and NADA staff can quickly and effectively prepare you for the dealership visit. During the visit, I encourage you to walk officials around your dealership; give them the opportunity to meet and speak with your employees; and remind them of the financial benefits dealerships provide to the community.

If you are interested in hosting a member of Congress at your dealership or a meeting at a legislator's district office ***please contact Bill Sepic or Chris Snyder at the WATDA offices (608) 251-5577 and/or Patrick Calpin, director of grassroots advocacy, at or (202) 547-5500. You will get plenty of talking points to present!***

Later in September, I have the privilege of attending NADA's annual Washington Conference in the Nation's Capital. I will be joining fellow dealer executives and NADA directors on the steps of Capitol Hill, and our singular goal is to protect our industry and advocate for the hard working men and women back home. Please join me in this effort by scheduling a one-day visit with our Members of Congress—and let's make sure that the new legislation we see later this year benefits our businesses and our consumers.

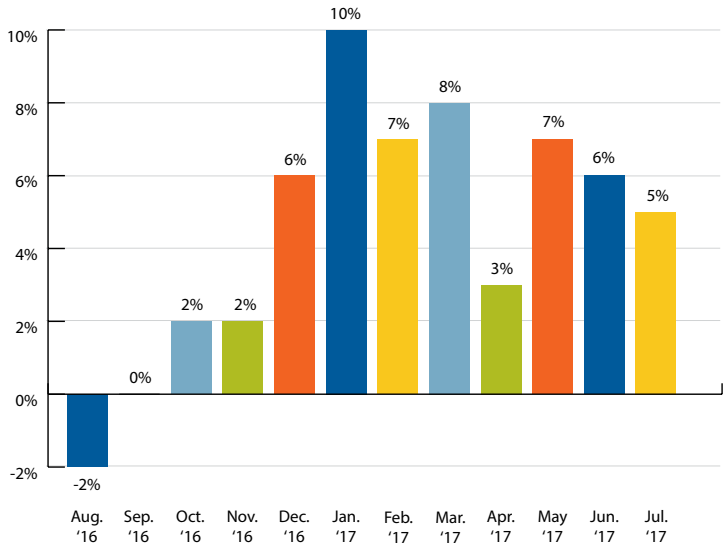
Good selling to all of you and again thank you for the privilege to serve as your director.

New Vehicle Sales Trends

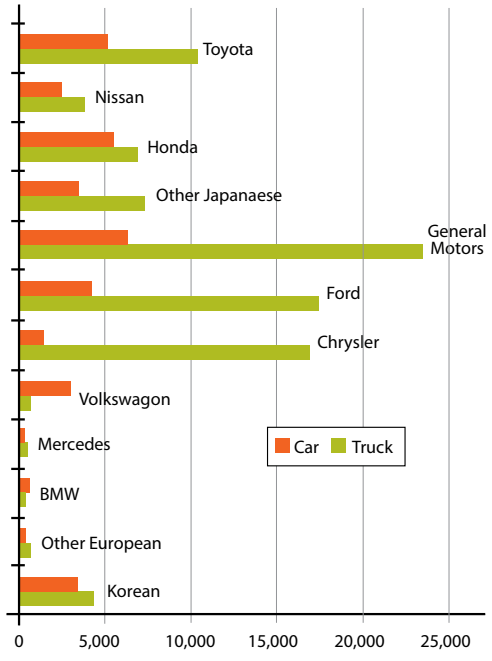
Wisconsin New Vehicle Trends: July 2017

	Previous Two Months 6/16 -7/16	6/17 -7/17	% change	Year to Date '16 YTD	'17 YTD	% change	Year to Date Market Share '16 YTD	'17 YTD	change
Industry Total	39,207	39,588	1.0%	123,874	130,331	5.2%	100.0%	100.0%	0.0%
Car	12,034	11,268	-6.4%	38,685	36,914	-4.6%	31.2%	28.3%	-2.9%
Truck	27,173	28,320	4.2%	85,189	93,417	9.7%	68.8%	71.7%	2.9%
Japanese	13,450	14,261	6.0%	42,958	45,519	6.0%	34.7%	35.0%	0.3%
Toyota	4,809	5,224	8.6%	15,126	15,620	3.3%	12.2%	12.0%	-0.2%
Honda	3,915	3,971	1.4%	12,126	12,494	3.0%	9.8%	9.6%	-0.2%
Nissan	1,765	1,822	3.2%	6,058	6,474	6.9%	4.9%	5.0%	0.1%
Other	2,961	3,244	9.6%	9,648	10,931	13.3%	7.8%	8.4%	0.6%
Domestic	21,749	20,743	-4.6%	67,927	69,904	2.9%	54.8%	53.6%	-1.2%
General Motors	9,805	8,851	-9.7%	29,628	29,868	0.8%	23.9%	22.9%	-1.0%
Ford	6,339	6,573	3.7%	20,117	21,729	8.0%	16.2%	16.7%	0.5%
Chrysler	5,605	5,319	-5.1%	18,182	18,307	0.7%	14.7%	14.0%	-0.7%
European	1,836	2,027	10.4%	5,991	6,998	16.8%	4.9%	5.4%	0.5%
Volkswagen	963	1,063	10.4%	2,962	3,714	25.4%	2.4%	2.8%	0.4%
BMW	323	330	2.2%	1,209	1,127	-6.8%	1.0%	0.9%	-0.1%
Mercedes	263	265	0.8%	864	987	14.2%	0.7%	0.8%	0.1%
Other	287	369	28.6%	956	1,170	22.4%	0.8%	0.9%	0.1%
Korean	2,172	2,557	17.7%	6,998	7,910	13.0%	5.6%	6.1%	0.5%
Other	2,172	2,557	17.7%	6,998	7,910	13.0%	5.6%	6.1%	0.5%

3 Month % Change – and view annual trend. Compares most recent 90 days vs. same 90-day period from last year.



YTD Registrations by Vehicle Type.



July Trend Report from Scott Quimby

From Around the State

Please send your news From Around the State to sbroske@watda.org

Northport Motors Joins 2 Dealerships

Northport Motors consolidated two county car dealerships and returned to its longtime home 2 miles southwest of New London. On July 1, Northport Motors II lefts its downtown New London office and vacated Midtown Motors. Both buildings are for sale or lease. All the company's operations now take place at Northport Motors and Northport Auto Body. More specifically, this is in the unincorporated community of Northport in the town of Mukwa.

Since the closure of Northport Motors in 2004, owner Michael Colligan had been running just Northport Motors II and Midtown Motors in their respective cities. From 2004-2007, the town of Mukwa property he left was his home to various businesses including D&S Heating and Cooling, Block Auto Sales, Tracy's Auto, and Classic Tire and Auto Repair.

Colligan returned to his Northport roots because he wanted to cut overhead costs and in turn "serve the public cheaper prices and better-quality cars." The change required transporting two businesses' cars to Northport and lots of paperwork.

Colligan plans to expand his building soon to allow more space for servicing vehicles.

Racine Hyundai

The new Racine Hyundai dealership features a five-car showroom, a service center with 12 bays, alignment bay, car wash, detailing bay, a customer service area and office space. The showroom's exterior also boasts a 16-foot glass wall and bronze metal sky panels.

Chrysler Dealership Returning to Ripon

Homan Ford plans to expand its west-side dealership this summer a little to the east to carry the line of Chrysler, Dodge, Ram and Jeep vehicles. By as soon as October, the dealership will have expanded the building footprint on its 4-1/2 acre lot to include one contiguous structure from which customers can kick the tires and receive service for a wider variety of car and truck brands. By acquiring adjacent properties to the east, Homan will expand its square footage from 20,000 to 32,000 square feet.

Wheelers Chevrolet to Open New Facility

Wheelers Chevrolet has begun construction on its new facility on West Grand Avenue in Wisconsin Rapids. Owner, Mary Jo Wheeler Schueller said the first of the three-building project is scheduled to open November 2017. That facility will be the new Chevrolet dealership in Wisconsin Rapids.

When the new Chevrolet dealership opens, the Wheelers will move their Buick GMC dealership from eighth street to the space where Chevy currently operates on West Grand Avenue. A new body shop is scheduled to open in the spring of 2018, and a new Buick GMC facility will open in 2019, all on West Grand Avenue.

Dealer Point ADDRESS CHANGE INFO

We are happy to announce that Wisconsin Automobile & Truck Dealers Association will be moving away from our PO Box and will be solely using our street address to receive mail. Please make sure to update your records to our street address. We will no longer have access to our PO Box by the end of 2017.

150 E. Gilman St., Suite A
Madison, WI 53703

We would hate to miss your mail!

Tribute

Curtiss (Curt) Anderson

Curtiss (Curt) Anderson of New Richmond, WI passed away May 24, 2017 at the age of 87. Curt devoted his entire 67-year career to the customers and employees at Johnson Motors in New Richmond, WI. He grew from a young mechanic who sold chainsaws and lawn mowers, to become the owner of the business. Curt retained interest in every aspect of the business, and greeted all the employees every morning. ●

WISCO Show

BY JOHN HACKMAN

Accessories can be a great profit center for our members. What does your dealership do for your accessory needs for the autos and trucks that you sell? If you need a floor liner, trailer hitch, a bed liner, or a tonneau cover who do you call? If you answered WISCO you are saving money on these important profit center items. WISCO can help you be competitive in this market and make you more money on the sale of these items.

WISCO's accessory suppliers include Draw-Tite, Reese, and Curt trailer hitches and towing accessories. These are the top names in the towing industry and you can get them at WISCO's money saving prices. Need a tonneau cover? Check out the Access professional line of covers. WISCO has just negotiated an even better price on the Access line. Check with us on the new program. We have Weather Tech floor liners, mats, cargo liners, and their entire offering in our lineup. Weather Tech makes a great product which is well known by your customers. You can purchase them through WISCO at a great price and except for very limited circumstances will not pay shipping on them. If you need an inexpensive floor mat for a used car WISCO stocks Rubber Queen carpeted floor mat sets. If you are looking to get into the spray-on bed liner market we offer Rhino Pro, the number one spray-on liner in the industry. We have a great inexpensive system to begin spraying your own bed liners. No obligation demos are available, just call WISCO at 800-274-2319. WISCO is also proud to offer the DualLiner bed liner to our membership. DualLiner, a Wisconsin company offers an evolution of the truck bed liner. This liner has zero skid, not just skid-resistant, for the cargo in the bed. Its custom fitted hard sidewalls provide dent protection. DualLiner can be installed in your customer's truck bed in approximately 15-20 minutes and has a lifetime warranty.

The accessory business is a tremendous profit center. Use YOUR cooperative to be competitive in this business and make more profit. WISCO has a great lineup of quality products, at a great price, with excellent service. For information on any of these lines call WISCO at 800-274-2319.

On another subject, if you are renovating or putting up a new building and in need of equipment, let WISCO save you money on your purchases. We carry the top lines in the industry and save members money on them. Let us give you a quote. The earlier in the building process you can let us know the better! WISCO exists only to add to your bottom line!

Negligent Entrustment:
WHAT YOU NEED TO KNOW

BY CHRIS HALVERSON, RISK MANAGEMENT SALES DIRECTOR, M3 INSURANCE

As a business owner, it's essential for you to recognize and understand the risks that can impact your business. This includes the actions of your drivers. If you have drivers on your team, you could be liable for any accidents or damage they create. Make sure you understand the amount and type of risk they represent.

Negligent entrustment means you've entrusted an employee with a poor driving history to drive on the company's behalf. It applies regardless of if the employee is driving a commercial or passenger vehicle, or if the vehicle is owned by the company. The driver's poor driving history could include moving violations or accidents he or she was responsible for causing. It's your responsibility to take reasonable steps to learn about that driver's background *before* he or she gets behind the wheel.

The focus of negligent entrustment suits is primarily on the employer and the policies and practices in place (or not in place) at that business. In commercial automobile operations, a case of "negligent entrustment" may arise when an employer allows an employee to use a vehicle, knowing or having reason to know that the use of the vehicle by such person creates a risk of harm to others.

In these types of situations, an employer can be charged for acting in an inattentive or careless fashion or without completing required process steps. It's important to know that negligent entrustment suits and verdicts are increasing, settlements tend to be large, and judgments can often include punitive damages.

Theories of Employers' Liability

Two other theories exist regarding employer liability that are closely related to negligent entrustment:

1. Respondent Superior: holds an employer responsible for the conduct of an employee while the employee is acting within the scope of his/her employment

2. Negligent Hiring: holds an employer responsible for the conduct of an employee if the employer failed to use due care in hiring and retaining such employee

An example of a circumstance involving negligent hiring would be failure of an employer to check a driver applicant's driving record when it would have revealed a poor driving history, or learning of a "poor" rating through the driver applicant's motor vehicle report and allowing that person to drive anyway.

Circumstances Surrounding Negligent Entrustment Cases

In the case of commercial auto operations, charges of negligent entrustment often arise after a collision where the employee or contractor was dispatched on a run without due regard for their qualifications or ability to safely operate the vehicle. Although the driver's own negligence in causing the accident is usually the primary issue, the two main focuses of investigation of a negligent entrustment charge are:

- A company's policies
- A company's actual practices

In other words, do the theories (the policies) and the facts (the actual practices) match? Basic questions are asked, such as:

- Does the company have a policy regarding driver selection and training?
- Did the management team adhere to the terms of that policy?
- Bottom line, did the insureds practice what they preached?

The Nuts & Bolts of Negligent Entrustment

When does an incident potentially turn into a case or claim alleging negligent entrustment? The following elements are typically present:

- The driver was incompetent
- The employer knew or should have known of this incompetence
- The employer must have entrusted the vehicle to the driver
- The driver was negligent on the occasion in question
- The driver's negligence proximately caused the crash

In order to prove that the employer knew or should have known of the driver's incompetence, all pertinent employment records of the driver are typically reviewed by the plaintiff's counsel. They also do a thorough investigation of the driver's background, including his or her driving record. If the employment records do not contain an accurate and complete driving history of that employee, the plaintiff's attorney will assert that the employer "knew" or should have known of the incompetence. If the plaintiff's counsel independently discovers records indicating incompetence, the employer should have been able to discover the same facts.

Furthermore, if the driver was performing within the scope of his or her job duties and the vehicle was not taken without permission, the vehicle was presumably entrusted to the driver by the employer.

And finally, in order to show the driver's negligence proximately caused the crash, investigations by "expert witnesses" often play a major role. However, the easiest way to prove negligence is through a citation that was issued to the driver, the driver being criminally charged, or the driver ruled to have been "at-fault" after a presentation of evidence.

Reducing Your Exposure to Negligent Entrustment

The potential of exposure to negligent entrustment losses can be reduced through the following:

- Driver recruiting and selection practices
- New hire evaluation and orientation
- Ongoing driver review and training
- Post-accident reviews and training
- Annual motor vehicle report checks on drivers
- Driver conduct policy
- Vehicle maintenance program

Negligent entrustment, and other associated vehicle safety lawsuits are increasingly causing concern for employers. Taking the time and effort to develop and implement a safety and risk program is minimal when compared to the emotional and financial costs incurred from a negligent entrustment case. Consult your insurance advisor to learn more.

Legal & Legislative Update

BY CHRIS SNYDER

Hurry and Wait...

At the time of writing this article, the big news on the legislative front is, there is no news. In Wisconsin, the Budget Bill has stalled over the issue of transportation funding (how much and where the revenue is coming from). So far things like increasing and/or changing the registration fees, title fee increases and eliminating the trade-in credit are not on the discussion table. So, we are hunkered down in our foxhole and keeping our powder dry and hoping the Assembly and Senate can come to some sort of compromise on how much funding there will be and which pocket or credit card they are pulling and paying for it.

Added to the budget impasse is the Foxconn proposal. This appears to be a great opportunity for the state of Wisconsin, but it comes with a $3 billion price tag. However, this is another issue where the Assembly and Senate appear to be at odds with. The Assembly wants to move forward with an accommodating bill and the Senate is insisting on passing a budget first. The biggest hurdle will be how to fashion a fair deal for Wisconsin in the event Foxconn decides to leave within a few years of starting up. I would assume by the time this reaches all of you, both the Budget and Foxconn Bills will be passed and signed into law.

On the legal front, still no word from the court on the GM warranty reimbursement lawsuit. All indications coming from GM is that win, lose or draw they are going to assess their dealers some sort of surcharge. If GM wins the lawsuit, those dealers who are receiving reimbursement under the statutory formula (notice I did not refer to it as the statutory amount, because they aren't paying it to anyone—no manufacturer does according to the information we are hearing) will begin getting surcharged for every new vehicle purchased. If GM loses they are going to surcharge all their dealers. If it's a draw… well, there is never a draw when the issue is decided by the courts. Stay tuned. Further, Nissan has just announced to its' dealers that apparently Nissan is paying out too much money for warranty reimbursement and therefore they MUST surcharge the entire Wisconsin Nissan dealer body an additional $75 per vehicle.

Editorial Side note: The warranty reimbursement issue could have far reaching industry consequences. Manufacturers are continuously squeezing any and all profit away from their dealers. Sales margins on a per unit basis is not enough to operate a successful store, especially given all of the facility mandates that the manufacturers impose on their dealers. In fact, sales margins are so thin, they barely cover salesman commissions. Many dealers claim that by reducing sales margins so severely, they are forced to rely on sales quota incentive payments to break even. That situation creates ethical and legal dilemmas when it comes to registering monthly sales. Consequently, dealers tend to rely on the profitability of their service department to make ends meet.

As vehicle technology continues to evolve, the training and skill set of technicians must be compatible so that repairs can be done successfully and efficiently. This all takes time, training and intelligence. This results in dealers spending more capital to maintain a competent and efficient service department. When the manufacturers play games by reducing time labor standards so they can squeeze revenues out of your service department, they are devaluing the role that qualified technicians play in customer satisfaction and repeat buyers of their products and artificially drives up the dealer's customer pay rates. Unfortunately, the end result could very well be a shortage in qualified technicians throughout the industry as they look for alternative careers.

ATD Washington Fly-In

The American Truck Dealers (ATD), an affiliate of the National Automobile Dealers Association, held its' board of directors meeting in Washington DC on June 21 & 22. As part of that meeting, ATD invited non-board member truck dealers to attend the second day of the board meeting and participate in capitol hill legislative meetings. Wisconsin truck dealers are well represented at the ATD Board meetings with David Kriete (Kriete Group), serving as the ATD Next-Gen representative; Paul Schlagenhauf (Badger Truck), Ford Dealer Council Chair; and Bob Nuss (Nuss Truck and Equipment), ATD 2017 Truck Dealer of the Year. Non-Board members attending this year's fly-in were Jim Moeller (CMS) and Jon Vandehey (Mid-State Truck).

The Wisconsin delegation met with staff from Speaker Paul Ryan and Representative Sean Duffy's office and directly with Senator Ron Johnson, Representatives Ron Kind and Mike Gallagher. The main issue discussed was H.R 2946, a bill authored by Rep. Doug LaMalfa (R-California), that calls for the elimination of the 12% Federal Excise Tax (FET) on the sale of new heavy-duty trucks and trailers. FET was first imposed in 1917 (100 years ago), to help fund and pay off World War I debt. However, just as true as WWI was pitched as the War to End All Wars, FET has not gone away. The FET on trucks raises approximately $3 billion annually.

The FET adds approximately $20,000 to the price of a truck/tractor. Couple that with the OEM's efforts to comply with federally mandated emissions technology, the price of new units is up by about $40,000. That price increase and the unknown

"The FET on trucks raises approximately $3 billion annually."

performance reliability have been a damper on trying to get the cleaner, safer new trucks on the highways.

ATD/NADA hopes that the introduction of this bill helps shed light on the onerous effects of FET and that the repeal of it can be included in the tax reform or infrastructure bills allegedly down the road.

Wisconsin Department of Revenue Announces Dealer Plate Use Tax for 2018

Motor Vehicle Dealers' Measure of Use Tax Increased to $157 Effective January 1, 2018

Wisconsin licensed motor vehicle dealers are permitted to report use tax on a fixed dollar amount per plate per month for the use of motor vehicles assigned to certain employees and dealership owners.

Effective January 1, 2018, the amount subject to use tax is increased from $154 to $157 per plate per month. To calculate use tax, $157 is multiplied by the appropriate use tax rate (5%, 5.1%, 5.5%, or 5.6%) to arrive at the use tax due per plate per month.

Why will the rate increase?

Under Wisconsin law, the Department of Revenue must annually adjust the amount subject to use tax to reflect the annual percentage change in the U.S. Consumer Price Index for All Urban Consumers, U.S. City Average, as determined by the U.S. Department of Labor for the 12-month period ending June 30. The percentage change for the period July 2016 to June 2017 was 1.6% ($154 x (244.955/241.018), rounded to the nearest whole dollar).

Scams to Be Watchful Of

From time to time, dealers contact WATDA to inform us of scams. There are two types in particular that you should be aware of.

The first comes in the form of an email to the dealership's office manager or controller. The email appears to come from the dealer or senior manager and it instructs the recipient to transfer electronically a specific sum of money to a person at a financial institution. The wiring instructions contain a person's name, bank name, routing number, account number, personal and financial institution addresses.

While typically tracking down the perpetrators of these type of scams is a journey down the rabbit hole, if you are so inclined to you should contact local law enforcement and ask if they pursue these types of matters or you can file a complaint with the FBI online by going to: www.ic3.gov.

The second trend that dealers need to be mindful of are fake pay stubs. WATDA has received an unusual amount of calls from dealers tells us that their customer provided them with false pay stubs. Providing false information during the credit application process is grounds to automatically rescind the transaction. Unfortunately, in some cases, dealers have delivered and registered the vehicle before they discover that the pay stub is bogus. In which case, you need to file an action in small claims court to have a judge rule that the transaction is void and issuing an order allowing you to take possession of the vehicle. Bottom line here is, you should be careful about delivering vehicles that you have not verified the customer's important financial proofs.

Autonomous Vehicles (a Diatribe)

If there was ever an unnecessary rush to the bottom, here it is. Just about every day you see an article about advancements in autonomous vehicles. I'm all for advancement in technology. I'm a child of the 60's, I used to watch the Jetsons. George calling Jane on his wrist watch is here, Apple Watch with Facetime. So now when I call home I can not only "sound funny" I can look funny.

About three years ago I attended a conference (of state motor vehicle regulators from around the country) that had a presentation on autonomous vehicles. They showed a video with an SUV loaded down with roof mounted cameras, some sort of spinning black globe, a rubber bumper car type bumper wrapped around the entire vehicle and it was driving around on an obstacle course in a parking lot.

The next year, same group conference and another autonomous vehicle presentation. But this time a woman drove up to the entry of a mall, got out of her car and it went and parked itself (rolled down the window and had a cigarette) until it was summoned by the woman using her cell phone, where upon it drove up to the entry and picked her up. I think half of the people in the room envisioned walking out of a bar and jumping into the back seat—at least someone did.

Last year, same conference, the video showed a vehicle maneuvering on county highways, desolate mountain roads and neighborhoods, on/off ramps, merging with traffic and avoid-

“Silicon Valley companies thrive on being market disruptors, all in the name of innovation.”

ing inanimate objects. Gone were all the external cameras and spinning globes, steering wheel, gas and brake pedals and front seats. However, the speaker's request for the need for regulatory permission to acclimate these vehicles into the public was much more stressed.

Today, a handful of states are working on or have passed some sort of autonomous vehicle operation regulations and more have something in the works. The University of Wisconsin has been chosen to be a part of the research and development for autonomous vehicles. Our state legislature was presented with information about the status of the new technology. At that hearing General Motors pitched the idea of shutting competitors (Google, Apple, Uber,) out of the R&D game all together. The most interesting part of the hearing was given by the farm implement industry, it seems that combines equipped with GPS can work a whole field practically on its own. Since Wisconsin is being allowed (through the University) to participate in the R&D, the Governor has established a Blue Ribbon Task Force (to which WATDA has been invited to sit on) to discuss and plot out a strategy for incorporating these types of vehicles on Wisconsin highways.

About a month ago the House Energy and Commerce Committee passed a series of Highly Autonomous Vehicle (HAV's) bills, that will essentially shield manufacturers and developers from any state oversight and very little federal oversight in the development of this new technology. By the way, during the course of crafting these bills, there was a drafting issue with some of the preemptive language that may have effected state franchise laws. However, NADA, with the help of State Association people, lobbied House committee members hard to effectuate an amendment making it clear that nothing in the bills is intended to preempt or usurp state motor vehicle franchise laws.

The interested parties here (manufacturers, Silicon Valley and parts suppliers) are pushing this through at warp speed telling Congress that they need to have unfettered leeway so that the United States can lead the way in this technology. If the federal government or worse yet, each of the 50 states are allowed to regulate the process we are going to lose out to the Chinese.

The question is, what's the rush? Lose out on what? What is the advantage of leading the way? Experiencing unforeseen accidents, possibly deaths during the developmental process? Why not let the Chinese spend some of their time and money developing, make mistakes, correct mistakes, etc.

So what is really going on here? Well, those pushing the technology say this is the future. Autonomous vehicles will be safer, alleviate traffic congestion, accidents and if we convert to fully electric vehicles, they will not only save lives, but the planet too. Techies drool over the notion of getting in a vehicle, entering a destination into the computer and sitting in the back and playing video games while their ride sharing vehicle maneuvers rush hour…wait, there is no more rush hour because the artificial intelligence operating our vehicles will be smarter than its' passengers.

How do these industry developments effect the franchised dealer system? Tesla has spent the past 8 years degrading dealers and doing their best to avoid state franchise laws. Geely/Volvo has stated publicly that they want to sell direct when they come to America (even though they have an established dealer network.) You can bet that traditional manufacturers like GM, Ford, etc. will claim that HAV's are a completely new franchise and they will NEED to sell direct to better serve the public.

Their past behavior would indicate that they will not want to share any of their new toys with dealers. Further, many of the repairs for autonomous, all electric vehicles will be over-the-air repairs. Think of this, you spend tens of thousands of dollars annually on diagnostic equipment, technician training and tools, just to see half or more of those repairs performed by computer programmer sitting in a hut somewhere in a third-world country.

Maybe I'm jaded, cynical or just an old guy who likes being behind the wheel, beeping my horn and letting other drivers know that I'm coming down the pike, but this is what I think is happening here. Silicon Valley wants into the motor vehicle and transportation business in a big way. Not much more you can do to a cell phone (they are compact computers—and we can watch a live football game on one), there's already an APP for just about everything and the Japanese are way ahead on robot development. So, they want in on the transportation industry. And, they hate rules. Silicon Valley companies thrive on being market disruptors, all in the name of innovation. Uber has already taken it on the chin in California for deploying driverless Uber vehicles in San Francisco without getting proper approvals. Traditional motor vehicle manufacturers are threatened that Apple, Google, Uber and Tesla are going to get ahead of them in developing the vehicles of the future. So, they teamed up to create this technological coalition juggernaut that needs to be fed a non-regulatory diet to survive.

I can see the need and desire for accident avoidance automatic braking, lane deviation notification, smart cruise control, blind spot assistance, back up cameras, GPS and Bluetooth connectivity for hands free communications. (I'd like to see them develop a way to keep all the bugs off my front bumper, grill and windshield.) This is all, baseless speculation on my part, but if HAV's are allowed to be developed in a vacuum, our industry will look completely different 15 years from now.

That being said, I have to admit, I have been waiting for my own flying car since I was 6. ●

Standing Our Ground

BY BILL SEPIC

I don't often do this, so when I do, I feel that it is very important. By the time you receive this *Dealer Point* magazine, we may or may not have started down the path of state-wide, new vehicle surcharges. Most of you know, that a dozen of our General Motors (GM) dealers are engaged in a lawsuit with GM regarding Wisconsin's Warranty reimbursement laws. The amendments in 2011 to our Motor Vehicle Franchise Laws were negotiated with the manufacturers, manufacturer trade associations and legislators. The warranty reimbursement language was agreed upon by all parties in February of 2011. We do not have anti-surcharge language in our Wisconsin statutes. That was negotiated out of the bill because there were lawsuits taking place in Florida and Connecticut regarding their constitutionality. The current lawsuit in Wisconsin is to determine whether a manufacturer can selectively surcharge their dealers. If the Wisconsin dealers win this lawsuit, then manufacturers will only able to surcharge the entire dealer body within the state. If this decision is reached, GM has indicated they will immediately begin surcharging their dealers $75 a vehicle.

The fight has spilled over from, not only our formula to determine labor rates, but also our un-amended parts rates. (We still have the same parts reimbursement language we did previous to 2011 and identical to numerous other states.) GM has asked that the state of Wisconsin validate surcharges and accept a model similar to the Illinois language. We do not feel that is in the best interest of the entire dealer body of Wisconsin. Dealers fight for good technicians, to keep good technicians and to fairly pay good technicians. If dealers are to continue to offer quality jobs with family supporting salaries, then they need to be reimbursed fairly from the manufacturer for warranty and recall work as well as the sales of parts. With low unemployment and fierce competition for employees, we cannot expect our customers to subsidize the manufacturer because they won't reimburse the dealer fairly.

If manufacturers want to communicate with, and negotiate fairly with dealers, the fix for this problem would not have to be legislative. So, today we sit and await a judges' decision. This will dump the decision on how to manage dealer relations right into the lap of GM. What path will GM take in their continued dance with dealer/manufacturer relations.

If a path is chosen that harms the dealers of Wisconsin as well as the Wisconsin consumer, we will ask you to take this fight to the legislature. We will ask you to be passionate and aggressive in your pursuit to share with legislators the negative effects and impact the manufactures choices have had on Wisconsin.

We chose to negotiate six years ago. We didn't change the rules, or the game in the last 6 years. The decision to go legislative can be averted if the manufacture will choose communications over coercion. WATDA will be notifying you all very soon as to the results of the lawsuit. This has been an issue that has received considerable attention. Numerous board, dealer, legislative and manufacture discussions have taken place. We don't take lightly any increase in the cost of doing business. We also know, if a fair resolution cannot be reached, we have no choice but to move ahead. I look forward to visiting with all of you and hope we can maintain a fair playing field for the vehicle franchise industry. If you have any questions, concerns or just want to talk, please contact me. ●

"If a path is chosen that harms the dealers of Wisconsin as well as the Wisconsin consumer, we will ask you to take this fight to the legislature."

Nania Steps in as New Foundation Vice President

Born and raised in Madison, WI, Kara Nania is back from her California adventure to make an impact. After leaving for many years, she realized there is no place like Wisconsin. Her compassion, quick wit, and personality are the perfect mixture to lead The Foundation into the future as the new Vice President.

Kara attended Ball State University in Indiana for her undergraduate education and later her doctorate studies in Kansas City, MO. Although her studies focus on science and the healthcare field, it was her experience after leaving school that gave her the strong business knowledge she has today.

The Foundation changes people's lives. Individuals that have been given so much from an industry want to give back to it in return. That is what drew Kara to this position. With each scholarship that is awarded, the Foundation offers deserving young people a fulfilling career. Every technical college the Foundation is involved with or high school worked with, is supporting the future of this profession. How could anyone not want to be a part of that?

Kara's first order of business is to get out and meet the WATDA members. This is your Foundation and you are the reason why it has achieved many amazing things. Providing scholarships is a huge part, but it goes far beyond that. Because of your support, we can ensure the curriculum that trains your employees stays top notch while working with the next generation educating them on what rewarding careers this industry has to offer. It also allows us to work together with a variety of charities to make the world a better place. Kara wants to shake your hands and thank you for all you do, while building relationships so we can continue to work together ensuring both the industry and the Foundation's future.

Not only does Kara have a strong business background, she has worked with the philanthropic industry for most of her life. Whether it be as simple as coordinating haunted houses for the Children's Miracle Network or more complex like running clinics in Mexico to bring healthcare to those in need, she's done it! Charity work has always been a passion of hers. Couple that with running a corporation for many years, her goal is to take the Foundation to the next level.

Kara comes from a dealership family, we're sure you won't be surprised to hear that she has worked at the dealership. Although she has done special projects throughout the years, the biggest contribution she made was serving as the project manager for the construction of the new dealership. In order to create a functioning space, she learned the ins and outs of each individual department in the dealership, giving her the understanding that most do not possess.

As for her free time, she loves Wisconsin football (both the Packers and Badgers). You could have guessed that if you ever met her dogs, Lambeau and Lombardi. After living in Southern California for many years, her dream upon returning to Wisconsin was to have a "true Wisconsin yard", which she has achieved and spends much her time tending to her gardens (AKA yard work). When her feet are not on the ground, Kara enjoys soaring above the clouds as she has been a pilot for many years. Don't worry, she does find time to relax in her hammock enjoying the sounds of her trickling pond, her own slice of heaven.

We hope you get the chance to meet and speak with Kara if you have not already. Our staff is excited to have her as part of our team and look forward to working with her to move the Foundation into the future. ●

Welcome KARA!

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