

# Montana Automobile Dealers Association

## JANUARY 2018 NEWS BULLETIN

### Time Dealer of the Year: Garry Brayko

Those in the Billings community, and those in the Automobile industry recognize the great successes of **Garry Brayko**. With a passion for cars and Montana, he has taken part in the auto industry under the Big Sky for the last fifty years. Starting out in the parts department at Terry Chevrolet Buick, in Glasgow, MT, Brayko made \$1.50 an hour. This would prove to be the first step in what would be a life-long career in the auto industry. Moving to Dillion, he took a position as a service manager at Elliot Ford. After working at Capital City Ford, in Helena, he and his family came to Archie Cochrane Motors. Brayko recognizes, and is grateful for the opportunity given to him by the McNally's, to work alongside them at Archie Cochrane Motors. Billings has been the backdrop for this locally owned dealership since 1942,



and in 2001, Mr. Brayko purchased initial stock in the company. Seven years later, in 2008, came one of the greatest accomplishments of his auto career. It was then that Garry Brayko completed the purchase of the dealership, and continues today as owner and President of Archie Cochrane Motors. It is important to note that with his first position at Terry Chevrolet Buick beginning in 1967, 2017 marked his 50th anniversary in the Auto Dealership Business.

Continued on **PAGE 2**



### IN THIS ISSUE

- President's Message* p3
- Director's Message* p4
- Chairman's Message* p5
- Legal Update* p6
- NADA PAC UPDATE* p12

*and more!*

## Gary Brayko CONTINUED FROM FRONT PAGE

Those who visit Archie Cochrane Motors experience the welcoming small-town feel, with keen expertise and professional service. Becoming the owner and dealer of Archie Cochrane Motors, marked a major turning point in his career. "I realized that day that I was now responsible for the livelihood of all my employees and their families," says Brayko. While speaking with a few of his employees, it is evident he has taken that responsibility very seriously. Those who work with him are not only a part of the Archie Cochrane family, but are involved in reaching out to the community. For several years, Mr. Brayko and his staff have participated in the Ford Global Week of Caring. They have found themselves serving meals, providing man power and service in clean up campaigns, painting, building and ground maintenance repairs. Over the years, he and his staff have also provided assistance to Adult Resource Alliance, Tumbleweed Run Away Program, HUB Mental Health Drop in Center and STEPS. Brayko says "it is extremely heartwarming to see [his] employees working together to assist others in need in our community." Beyond providing service, Archie Cochrane Motors contributes to many programs and organizations. A few of the foundations and organizations include the Billings Clinic Foundation, St. Vincent Foundation, Carroll College Foundation, YWCA, YMCA, Family Service Foundation, Adult Resource Alliance of Yellowstone County, Boys and Girls Clubs, Foundation Builder, Wise Wonders Children's Museum, Billings Trail Net, Yellowstone

River Parks Foundation, AIDSpirit USA and many others.

As much as he cares for those at his dealerships, his family is his most prized possession. He and his wife, Kathy are the proud parents of two daughters, Krista and Kate. Brayko notes that having the opportunity to raise a family in the Big Sky State has been one of their greatest blessings, with their two grandsons also enjoying that same blessing of growing up in Montana. Together, they enjoy gathering at a family cabin

on Canyon Ferry Lake; specifically, cooking in their outdoor kitchen is one of their signature past times as a family. Together, his family, Archie Cochrane Motors, and his fellow Montanans, join Mr. Brayko in celebrating this great achievement of Time Dealer of the Year. More than simply an award, it is a special honor for Brayko, as two previous owners of the Archie Cochrane Dealership have also won the award. Archie Cochrane was nominated in 1971, and Jim McNally in 1987. Now thirty years later, Garry Brayko is nominated as the 2017 Time Dealer. On behalf of the staff of Archie Cochrane Motors, the Billings community, and the many foundations and organizations that you have contributed to, congratulations Mr. Garry Brayko, and thank you for all you have done over the last fifty years in the automobile industry. We look forward to seeing your continued successes. ■



## PRESIDENT'S MESSAGE: A Year in Review

Another year is in the books and as we look forward to 2018 I want to thank the MTADA board and the association employees for all the hard work they put in throughout 2017. MTADA had a very productive year in 2017. One of our biggest accomplishments was our success in passing two major bills in the legislature.

Senate Bill 89 (An act revising standards for determining good cause in terminating or not continuing a new motor vehicle franchise), was passed in order to prevent manufacturers from arbitrarily terminating a dealership due to unattainable sales goals based on sales areas outside of their local market. Manufacturers will now have to have sales goals that are essential, reasonable, not discriminatory, and that take into account the franchisee's local market variations beyond adjusting for the local popularity of general vehicle types.

Senate Bill 108, (Prohibiting enforcement of a right of first refusal), was passed to ensure that selling dealers are able to sell their dealership to a well-qualified individual of their choice. Selling dealerships now have the right to sell to a qualified individual of their choice without fear of the manufacturer swooping in at the last minute and selling to another buyer. This also applies to a dealer when purchasing a dealership. We are only the sixth state to get this legislation passed.

We were able to add multiple vendor partners to help our dealerships run more efficiently. Our 103rd annual family convention at Fairmont was a great success. Our next convention will be at Big Sky on August 3-4. We will also be having a bus tour of Yellowstone National Park on Sunday August 5th for anyone that would like to participate. Online Registration will begin on March 1st. We encourage everyone to sign up early.

We also saw the launch of our apprenticeship and technician program that partners with the colleges that have automotive technician programs. If you have interest in the Technician program contact Bruce Knudsen.

Montana ended the year third overall in NADAPAC donations. We were at 501% of our goal with a total of

\$41,320 contributed. Not only did we place third overall percentage to goal, we also contributed more than 35 other states which is pretty remarkable. The best part is that we can do even better in 2018.

2018 will present its own unique set of challenges to every one of us. Moving forward in 2018 the MTADA board's first goal will be to fill the currently vacant Dealer Services Coordinator position. It is my pleasure to serve as your president through 2018 and ask that you please let me know if there is anything that the association or board can do to assist you. ■

*Eric Henricksen is the owner of Don Aadsen Ford in Ronan, Montana*



**Eric Henricksen**  
MTADA President

### Improve Your Customer's **F&I Experience**

### Industry-leading F&I School February 5-9 Houston, Texas

- Proven process for all transaction types
- Digital sales tools
- Hands-on technology integration
- Extensive role play
- Award-winning curriculum

800.967.3633 | www.AFASinc.com

Montana Automobile Dealers Association

[CLICK FOR MORE INFO: /www.automotivetrainingacademy.com/registration/registration.aspx](http://www.automotivetrainingacademy.com/registration/registration.aspx)



DIRECTOR'S MESSAGE:

# NADA Legislative Priorities

## SELF-DRIVING CARS LEGISLATION MUST PRESERVE STATE VEHICLE FRANCHISE LAWS (S. 1885/H.R. 3388)

Congress aims to finalize legislation to advance self-driving vehicles by preempting certain state laws that could force automakers to build different self-driving vehicles for different states. NADA has strongly urged Congress to retain a state's traditional role to provide consumer protections, and license and regulate vehicle commerce within its border as applied to self-driving vehicles. Historically, the federal government has preempted only state laws that impact vehicle design, construction and safety.

The Senate Commerce, Science and Transportation Committee approved S. 1885, the "AV START Act", by voice vote in October. While the bill clarifies that state laws regarding the sale, distribution, repair or service of AVs remain intact and are not preempted, a technical amendment is needed to fully ensure that state license and franchise laws are preserved. The bill's sponsors have committed to correct the technical issue before full Senate consideration.

The House passed H.R. 3388, the "SELF DRIVE Act," in September 2017 with NADA-backed language clarifying that the bill does not preempt state vehicle licensing/franchise laws. Congress must ensure the states' traditional role to regulate vehicle commerce within their borders is explicitly preserved as applied to self-driving vehicles.



Don Kaltschmidt  
NADA Director

## OPPOSE OVERBROAD RECALL BILLS (S. 1634/H.R. 3449)

Sen. Blumenthal (D-Conn.) and Rep. Schakowsky (D-Ill.) have introduced bills (S. 1634/H.R. 3449) that could cripple the used car market by halting the sale or wholesale by a dealer of any used car under open recall, even though most vehicle recalls do not require the drastic step of grounding. These bills would create a "trade-in tax" that would instantly devalue a car buyer's trade-in by grounding recalled vehicles for minor matters such as a peeling sticker. Because of a

Continued on PAGE 9

## IMAGINE... Digital Deal Jackets!

# DocuWare<sup>®</sup>

## DOCUMENT MANAGEMENT FOR AUTO DEALERS

An automobile sale deal jacket is comprised of upwards of 30 or more documents. What if the sales process was paperless and the deal jacket was digital? What would that mean?

- More Streamlined Sales Process
- More Pleasant Experience for Customer & Salesperson
- Faster Approvals
- More Accessible Customer Information
- No More Filing Cabinets!

Call DocuWare - J&H, Inc. (800-923-8973)



CHAIRMAN'S MESSAGE:  
**A New Year at NADA**

I am extremely proud of the thousands of franchised auto dealers across the nation. Despite an ever-changing landscape in our retail business, we closed out 2017 with 17 million new-car and truck sales. We are looking toward 2018 with optimism and confidence.

We saw many challenges to the dealer business over the past year and, thanks to the passion and hard work I've seen around me, we are in much better standing for 2018. I am proud to say that we have been successful in our efforts to prevent elimination of dealer discretion and consumer discounts in auto financing. We rightly advocated for our customers and Washington heard us loud and clear. NADA's alternative policy ensures fair credit compliance and also preserves the ability of dealers to offer discounts to our customers. We also successfully fought attempts to ground all used vehicles at the dealership with open recalls – again standing with our customers and preventing Washington from imposing a costly trade-in tax on consumers. And most recently we preserved 100-percent deductibility on floor plan interest, a cornerstone of the dealership business model.

However, the work never ceases. NADA is pushing ahead so that we have a secure and stable industry into the future. The newest challenges have come in the form of legislation to regulate self-driving vehicles, and we are continuing to advocate legislation that explicitly preserves state vehicle licensing and franchise laws. And as we navigate the Trump Administration, we are staying on top of tax reform and critical issues that will affect our operations, such as LIFO and the estate tax.

We have worked harder than ever to build stronger relationships with our manufacturers. I have made it my priority to address the negative impact of stairstep programs head-on. During my chairmanship, NADA has had many meetings with OEMs to share the results of our landmark study that highlights the importance of transparency, trust, loyalty and commitment to our brands. Dealers are in resounding agreement that factory efforts should help our customers and our businesses, not harm them. You can be sure NADA will continue to expand this platform so that dealers and OEMs work symbiotically, as we should. It was my privilege to address this very issue in front of the automotive press in Detroit last October as an advocate for my fellow dealers.

Finally, the fight to defend our franchise system will never end. NADA has embraced a dynamic approach, and we have pushed newer social media platforms to spread the news about the

benefits of the franchise system—especially in times of dire need. The 2017 hurricanes and California wildfires ravaged homes, businesses and families. But the amazing network of dealers who quickly stepped up to help fellow dealer families in their darkest hours, has made lasting impacts on thousands of our employees. I'm proud that together we have raised millions of dollars for the NADA Emergency Relief Fund—funds that are still being distributed today.

I cannot say this enough—I'm so proud to be an auto dealer. And I'm proud of the work we've done to power this industry for more than a century. We have stood the test of time, and we are ready to tackle the next 100 years.

**I hope to see you all in Las Vegas for the 2018 NADA Show, where we will ring in our 101st year as your national association and your strongest ally. I wish you and your employees a prosperous 2018! ■**

*Scarpelli is 2017 NADA chairman and president of Raymond Chevrolet and Raymond Kia in Antioch, Ill., and co-owner of Ray Chevrolet and Ray Chrysler-Jeep-Dodge-Ram in Fox Lake, Ill.*



Mark Scarpelli  
 2017 NADA Chairman

**American Financial**  
 & AUTOMOTIVE SERVICES, INC.

Over 35 Years of Raising the Standard in **F&I**

- F&I University
- Compliance Programs
- Automotive Training Academy
- MasterTech™ F&I Product Suite
- Dealership Development Programs

2017 DEALERS' CHOICE AWARDS

MTADA  
 Montana Automobile Dealers Association

800.967.3633 | [www.AFASinc.com](http://www.AFASinc.com)

[CLICK FOR MORE INFO: www.AFASinc.com](http://www.AFASinc.com)

LEGAL UPDATE

## A Heavy Lift Revisited

Last month we devoted this column to lift kits and the article focused on installation of the kits on new units which prompted an inquiry about how the principles involved affect the sale of used units with lift kits already installed. We'll address that and a related question, the installation of lift kits by the dealer on used units.

What we had to say about issues with the OEM warranty applies to all vehicles that still have factory warranty, new or used. We've also seen at least one case here in Montana where coverage under an extended service contract sold with a used unit was denied because of modifications to the vehicle, even though the suspension, wheels and tires constituting the modification had already been completed on the used vehicle at the time of sale by the dealer to the consumer. If you are thinking "I'll bet there was a suit over that deal" you are 100% correct. Warranty is an issue whether the vehicle is new or used.

The dealer must be careful to inspect the used units sold at the dealership and to disclose issues that affect the roadworthiness to the consumer. A corollary to that requirement is that the dealer cannot put unsafe vehicles on the road, new or used. The Montana Supreme Court confirmed a judgment under the Consumer Protection Act in ruling against a Montana dealer who sold a used vehicle that was deemed to be unsafe. *T&W Chevrolet vs. Darvial*, 196 Mont. 287, 641 P.2d 1368 (Mont. 1982).

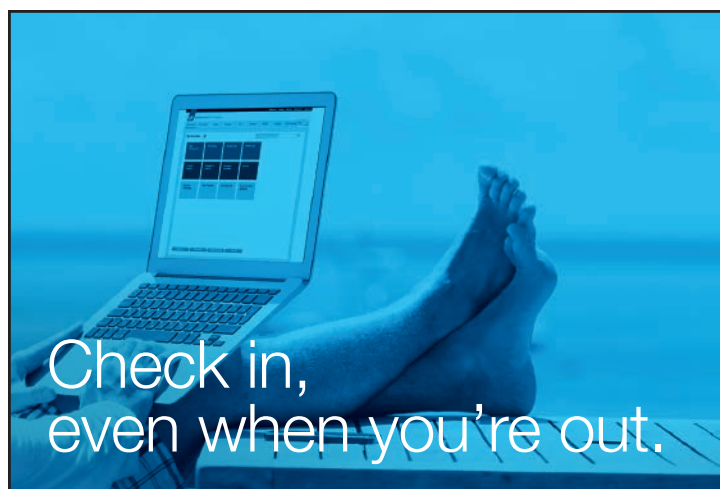
As we noted last month, the law is clear that installation of a lift kit is an "alteration" of the vehicle that places the obligation on you, the installer or reseller, whether the unit is new or used, to determine whether the vehicle, as altered, continues to meet Federal Motor Vehicle Safety, theft prevention, and bumper safety requirements. If not, the vehicle cannot be sold. In addition, load carrying capacity may be affected. Federal law provides that any party who adds equipment with a weight exceeding the lesser of 100 lbs. or 1.5% of the vehicle's weight must either: replace the existing tire placard with one containing the corrected load-carrying capacity; modify the existing placard to display the corrected information using a modification overlay; or (if only

changing the load-carrying capacity description) attach some supplemental label meeting specific requirements.

Most importantly, keep in mind our admonition last month. Your Garage Keepers Policy is your primary line of defense if you get sued. Before you consider selling and installing lift kits on new or used vehicles or reselling used units with lift kits already installed carefully review your policy with your agent and your attorney. Whether coverage is provided or excluded is dependent on the language of the policy. It is important to put the insurance company on notice that you are installing lift kits and other similar products since that may increase the carrier's risk and your premium. You do not want to be the defendant in a wrongful death lawsuit without insurance coverage for your defense and payment of any settlement or judgment. ■



R. J. "Jim" Sewell, Jr.  
MTADA General Counsel



Check in,  
even when you're out.

As the only **High Tech, High Touch** DMS provider, Dealertrack operates in the cloud, enabling users to access key dealership metrics from any location on any device.

Call **888.645.4058**  
or visit [go.Dealertrack.com/DMSAnytime](http://go.Dealertrack.com/DMSAnytime).

A COX AUTOMOTIVE BRAND

Dealertrack 

DON'T MISS IT...SAVE THE DATE



*Montana Automobile  
Dealers Association*

# 104th Family Convention

AUGUST 3-5, 2018

Big Sky Resort | Big Sky, Montana



# VEZAHEALTH

## YOUR HEALTH IS OUR PRIORITY



WE ARE:



YOUR second opinion.



YOUR connection to world-class care.



YOUR pathway to a healthier you.

Receive a **second opinion** from one of the nation's **top physicians** today:

(800) 970-6571

[consultant@vezahealth.com](mailto:consultant@vezahealth.com)



## Director's Message

CONTINUED FROM PAGE 4

shortage of recall parts, it often takes months to repair recalled vehicles. A 2015 study by J.D. Power found that enactment of these bills would result in an average "trade-in tax" of \$1,210, and some consumers' trade-in values would decline by \$4,000 to \$5,000. Lowering trade-in values would immediately hurt car buyers by reducing the down payment a consumer could use to buy a newer vehicle. Also, since the bills do not regulate private sales, recalled cars would be pushed into the unregulated private market, making it more difficult to complete recall repairs.

The Senate Commerce Committee rejected an amendment nearly identical to S. 1634 in 2015. Congress should support initiatives to increase recall completion rates and oppose S. 1634/H.R. 3449, which creates a "trade-in tax" on millions of customer trade-ins while potentially making it more difficult to fix recalled vehicles. ■

# WHY MANAGE YOUR INVENTORY THE HARD WAY?

" When you compare the cost of saved obsolescence to the cost of PartsEdge, it's a no-brainer.   
 -Richard Jackson, Fixed Ops Director

**SAVE TONS OF MONEY (AND WE MEAN A TON)**

Hundreds of thousands of dollars are wasted in many areas of Parts Operations. By optimizing your DMS, PartsEdge reduces obsolescence, streamlines stock orders, and creates profitability.

**OUR CLIENTS HAVE THE RESULTS YOU WANT**

Our clients have choose us again and again, every month. Our business model is based on delivering consistent results every time which is why all our contracts are month-to-month.

**DEMAND MORE FROM YOUR DMS**

What would it mean if your DMS did just 10% more than it does now? Let us help you increase utilization for more profits.

**PARTSEGE**  
RESULTS MADE SIMPLE

1 (800) 825-7562  
INFO@PARTSEGE.COM

## Sign Up Today for NADA Headlines

If you would like to receive the NADA headlines, go to <http://preferences.nada.org/Subscriptions/Headlines.aspx> and subscribe to their newsletter.



**ADS of Montana is the State's leading provider of F&I training and products.**

We specialize in our State of the Art training concept through our Team One approach.

We represent the best product lines available in the US!

We are a MONTANA company and headquartered in Bozeman, no need for a company employee to fly in and see your store.

We work with over 75% of non public New Car dealers in the State.

**[www.adsfi.com](http://www.adsfi.com)**

# Identity Theft and Your Dealership

A salesman had 3 files of customers he was working with on his desk and his own personal mail. A customer came in to drive a car and make an offer, but when the salesman left the desk to meet with the sales manager, the customer swiped the desk clean taking the files and mail. The dealership was responsible for the lost information and was fined, while the salesman was also a victim of ID theft due to his personal mail being stolen. When there is a loss or breach, the dealership will have to report it to the FTC and notify every employee who has worked for them and every

customer that has bought from them. It can be very expensive and timely. Being proactive will save you money, being reactive will cost you money!



**Katie Huff**  
Executive Director of LegalShield

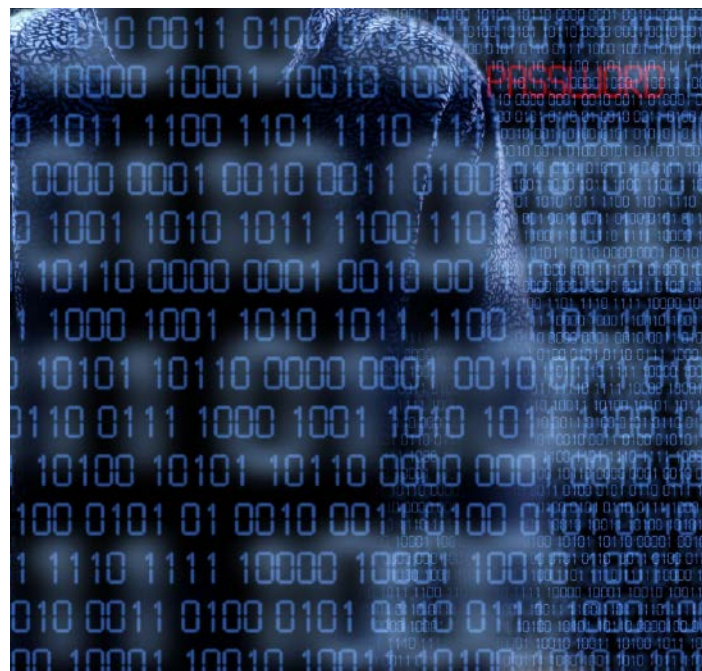
Identity thieves don't want to steal to make fast money, they're in it for the long haul; an employee's information can provide profit for years to come, and the damage can ruin lives. Without taking the necessary steps to help protect one's employees, the workplace can account for more than half of all identity theft cases. According to Michael Hall, a certified identity risk management specialist, there are five types of identity theft, and employers can potentially be held liable for all of them.

### Types of Identity Theft

While 'identity theft' can bring forth images of empty bank accounts and maxed-out credit cards, the risks and effects can reach far beyond a ruined credit score.

- Driver's license identity theft: A thief can use your information to gain a driver's license in your name, and claim to be you upon receiving a traffic ticket. This could mean suspension of your license or criminal charges acted out on you for the thief's offenses.
- Social security identity theft: A thief may use your Social Security number to get a job, to report income under your name, or to get around an employer's background

Continued on **PAGE 14**



## January Trivia Contest

Win a \$20 Gift Card and a Chance to Win 4 Tickets to the Cat-Griz Game

The winner of last month's trivia question "Paleontologist Jack Horner brought the Hell Creek Formation to the world's attention and it is now a major source of what?" was Anita Marsh with Rehbein Ford. with the correct answer "Fossils."

**January Trivia Question** What is the overall win loss record of the Cat -Griz game from the beginning?

**Submit your answers to [bknudsen@mtada](mailto:bknudsen@mtada).** All correct responses to this month's trivia question will be put in a drawing for a \$20 Amazon Gift Card. The winners of the monthly trivia questions will be put in the drawing for the grand prize, four tickets to the Cat-Griz Game!! Must be present at the 104th Annual Convention to Win. **Good Luck!**



## Top Five Ways the New Tax Law Affects Dealerships

The Tax Cuts and Jobs Act has passed. If you own or run a dealership, you're probably wondering what this means for you. Most significantly, it means dealerships will pay less in taxes for the year 2018. However, we're dealing with a very large piece of legislation, so there's obviously more to it than that. Having gone through the new tax law, we have outlined the top five ways it could impact your dealership:

### 1. The maximum tax rate is lower.

A dealership in the highest tax bracket will be taxed at 37%, down from 39.6%. What tax percentage your dealership will actually pay comes down to whether you're organized as a C corporation, an S corporation, or a limited liability company (LLC).

### 2. C corporations will pay 21%.

If your dealership is a C corporation, you'll pay a tax rate of 21%. You will still have to pay an additional tax on the distribution of income retained by your dealership, and this tax will be up to 23.8%.

### 3. Pass-through entities can deduct 20%.

If your dealership is an S corporation or an LLC, it's considered

a pass-through entity. Under the new tax law, pass-through entities can deduct 20% of their taxable income. For example, if you're in the highest tax bracket paying 37%, you can subtract 20% of your income, and the remaining 80% is the amount on which you'll pay 37%.

However, the deduction is limited to 50% of the wages you pay your employees or 25% of employee wages plus 2.5% of depreciable assets.

### 4. The Section 179 deduction has been increased to \$1 million.

The Section 179 deduction was set at \$500,000 for 2017, but it has been doubled to \$1 million beginning in 2018. Your dealership can use this deduction on new and used equipment and off-the-shelf software, so long as you don't spend more than \$2.5 million on equipment that gets put into service during 2018. You can also take bonus depreciation on equipment.

### 5. Two important things haven't changed.

Originally, floor plan interest was under threat of being limited. It was retained in the new tax law because the proposed limitation inadvertently affected small businesses to a much

Continued on PAGE 15

# RETAIL WARRANTY REIMBURSEMENT

WE WORK IN  
**40 STATES**  
WITH 24 MANUFACTURERS



WE ARE ENDORSED BY  
**12 STATE**  
AUTO DEALER ASSOCIATIONS



WE HAVE OVER  
**3,500**  
SUBMISSIONS APPROVED



ON AVERAGE WE ADD  
**\$167,000**  
TO A DEALER'S BOTTOM LINE



#### OUR COMMITMENT TO OUR CLIENTS

- ▲ **You Won't Lift a Finger:** Armatus does all the work for you.
- ▲ **Fully Contingent Fee:** You only pay when you are approved.
- ▲ **Speed and Accuracy:** Money in your pocket as quickly as 45 days.
- ▲ **Date Governance:** Your customer information is safe with us.

(888) 477-2228 | [info@dealeruplift.com](mailto:info@dealeruplift.com)  
**WWW.DEALERUPLIFT.COM**



**Montana Automobile  
Dealers Association**



## 2017 NADA PAC Roundup

In 2017, Montana dealers contributed a total of \$41,320 to NADA PAC from 29 individuals. Among NADA districts, Montana finished third in fundraising as a percentage of NADA PAC goals, raising more than 500% of the state’s goal. NADA PAC raised more than \$2.3 million from dealers across the country in 2017, under the leadership of national NADA PAC chairman Bill Underriner.



Jim Stanger  
NADA PAC Director

NADA PAC helps to elect to Congress qualified individuals who understand the needs of new car and truck dealers. In the 2016 election cycle, NADA PAC was credited as being one of the nation’s top three largest trade association political action committees in terms of both total fundraising and contributions to federal candidates. NADA PAC supports candidates for Congress based on the recommendations of the NADA PAC dealer leadership for each state.

The 2018 NADA PAC leadership team for Montana consists of NADA Director Don Kaltschmidt, MTADA Chairman Eric Henricksen, NADA PAC State Chairman Jim Stanger, and MTADA Executive Vice President Bruce Knudsen.

The following individuals from Montana were members of the NADA PAC Presidents Club in 2017.

- Joe Billion
- Peder Billion
- Garry Brayko
- Don Kaltschmidt
- Denny Menholt
- Randy Point
- David Ressler
- Steve Stout
- Craig Tilleman
- Bill Underriner
- Blake Underriner ■

**FOR MORE INFO:**  
[michael.robbs@mvdexpress.com](mailto:michael.robbs@mvdexpress.com)  
**406.371.2000**

**A faster solution for processing dealer titles in Montana is *HERE!***

- » Faster processing times
- » Personalized service & unmatched expertise
- » Start-to-finish title tracking with **TRACER**, our unique platform that shines a light on the titling process

**MONTANA-BASED AWARD WINNING DESIGN & MARKETING**

Showroom Signage & Interior Displays  
 Event & Tradeshow Promotion ■ Direct Mail  
 Customer Marketing & Collateral Advertising ■ Branding

[www.cinchdesign.com](http://www.cinchdesign.com) ■ [easy@cinchdesign.com](mailto:easy@cinchdesign.com) ■ 406.422.4838

# Driving Montana's Economy

## Annual Contribution of Montana's New-Car Dealers

Numbers reflect annual economic activity during 2016.



**100**  
**DEALERSHIPS**  
(new car)



**9,036**  
**TOTAL JOBS**  
(created by dealerships)  
Includes 4,050 direct jobs and  
4,986 indirect and induced jobs.



**41**  
**EMPLOYEES**  
(average per  
dealership)



**\$4B**  
**TOTAL SALES**

**17.8%**  
Share of Total  
Retail Sales in State



**\$206M**  
**PAYROLL**

**\$51,808**  
Average Annual  
Earnings

**\$78M**  
State and Federal  
Income Taxes Paid

Includes income taxes paid for direct,  
indirect and induced jobs.



**0.4%**  
**REGISTRATIONS**

Montana's Share of  
Total U.S. New-Vehicle  
Registrations

**15.4** YEARS  
**AVERAGE  
VEHICLE AGE**

Sources: Alliance of Automobile Manufacturers, Center for Automotive Research, IHS Markit, NADA Industry Analysis, U.S. Bureau of Labor Statistics.



NATIONAL AUTOMOBILE DEALERS ASSOCIATION

NADA Industry Analysis | 8400 Westpark Drive, Tysons, VA 22102 | 703.821.7010 | industryrelations@nada.org  
NADA Legislative Affairs | 412 First Street, SE | Washington, DC 20003 | 800.563.5500 | legislative@nada.org



Identify Theft CONTINUED FROM PAGE 10

check. Additionally, there have even been reported cases of thieves receiving another's income tax returns.

- Medical identity theft: Hall confirmed that this is the fastest growing type of identity theft, and that an AARP study showed that stolen health insurance cards are being sold on the black market for upwards of \$500 each. A thief can use your health insurance information to receive care or use your information to obtain a health insurance plan. This can have fatal results, as the thief's medical history can be labeled as your own.
- Character/criminal identity theft: Much like driver's license identity theft, the thief can provide your information rather than their own to authorities. This could result in you being arrested for crimes you didn't commit.

Identity theft can start at your dealership

The Federal Trade Commission (FTC) has advised that "information security should be a priority for every business in America," Hall said and added that "any business comes under some information protection law."

These laws (and regulations) include:

- Montana statutes governing data breaches require businesses to notify affected consumers if the consumer's personal information is compromised. Montana law (MCA 30-14-1704(8)) (effective October 1, 2015) requires the business to send a copy of the consumer notification to the Office of Consumer Protection (OCP).
- The Gramm-Leach-Bliley Act for financial information.
- The Fair Credit Reporting Act and the Fair and Accurate Credit Transactions (FACT) Act.
- The FTC's Red Flags Rules requires many businesses and organizations to implement a written Identity Theft Prevention Program designed to detect the warning signs identity theft in their day-to-day operations.
- Data protection can't be thought of as an IT problem; the problem lies with employees rather than the data itself. Hall notes that the five main reasons for data breach at work include:
  - Disgruntled or dishonest employees.
  - Untrained or careless employees.
  - Lost or stolen laptops.
  - Service providers, contractors, and visitors.
  - Hackers.

Data theft of an employee's information can subject employers to criminal liability as well as civil liability. Furthermore, your dealership's reputation could be put in danger as a result of the information theft.

MTADA has partnered with the No.1 Risk Management Company in the world, KROLL Risk Management Services and LegalShield with Katie Huff as our Certified Identity Theft Risk Management Specialist, to decrease your risks in regards to identity theft breaches and to provide steps to create a paper trail. Without proper documentation showing a good faith effort in protecting NPI (non-public information), your dealership can't protect itself in case of a lawsuit.

There are 4 steps needed for your plan:

- **Develop a written data protection plan.**
- **The plan should be designed to protect all data throughout the company.**
- **Appoint a security manager.**
- **This should be an upper level managerial employee**
- **Provide training for all employees.** The FTC states that ALL employees should go through training and sign off that they have participated. In fact, it states that if an employee does not participate should not be allowed to the company's network. Employers should implement a training schedule and ask every employee to sign an agreement that he or she will follow the company standards and that they have been through training.
- **Before you outsource any company function,** investigate that firm's data security practices.
- **Consider offering identity theft protection as an employee benefit.** This typically would include restoration service, which would help the employee in reclaiming his or her identity. All of this is done at no direct cost to the dealership.

Katie will be reaching out to each dealership to set up a time that she can help you reduce your risks, protect your company, and impact your bottom line. ■

**New Tax Laws** CONTINUED FROM PAGE 11

greater degree than the large corporations it was actually targeting. Dealerships can still deduct floor plan interest.

The second thing that hasn't changed is last-in, first-out (LIFO). LIFO can still be used as an accounting method to determine the cost of goods sold and demonstrate a lower net income.

Considering how extensive the tax bill is, there are more changes (such as those affecting property and estate taxes) that need more than one article to cover. If you'd like to discuss how your individual dealership will be affected by the tax law or the best actions you can take this year, contact your CPA or the business advisors and accountants at Wipfli.

With associates and offices across the United States, Wipfli ranks among the top accounting and consulting firms in the nation. The firm's associates have the expertise, skills, and experience to advise in areas from assurance and accounting to tax and consulting services. In addition, Wipfli can draw upon the resources of firms from around the world through its membership in Allinial Global. For more information, please visit [wipfli.com](http://wipfli.com). ■

*By Steve Hewitt, CPA, Dealerships Practice Leader, and Michele Bazzanella, CPA, Senior Manager, Tax - Wipfli LLP*

Please make it home safe today.

It's Our Business to Protect Yours  
**FEDERATED INSURANCE**

Federated Mutual Insurance Company and its subsidiaries\*  
[federatedinsurance.com](http://federatedinsurance.com) | \*Not licensed in all states.  
17-08 Ed. 8/17 © 2017 Federated Mutual Insurance Company

**MONTANA WHEELS FOR YOU**  
[montanawheelsforyou.com](http://montanawheelsforyou.com)

FIND A CAR    SELL YOUR CAR    VEHICLE RESEARCH    AUTO DEALERS

**1000's OF HOT DEALS ON WHEELS FROM LOCAL DEALERS**

- User-friendly
- Large vehicle photos
- Compare multiple vehicles
- Contact participating dealers

**FIND YOURS AT MONTANAWHEELSFORYOU.COM**

Print    Online    iPad    Mobile

Car dealers interested in participating on the #1 local vehicle search platform, please call 406-657-1228.

# Shoveling Safely

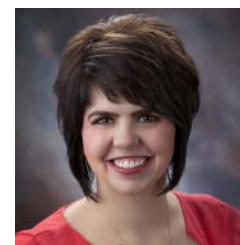
Shoveling is hard work. The physical activity, coupled with lower temps, increases the amount of work the heart has to do. So, take care of yourself out there. In fact, before you even venture out to clean off the sidewalk, remember to chat with your provider about your snow-shoveling readiness.

If you decide to shovel, check out a few pointers to help keep your heart safe.

- Stretch before starting the snow removal process.
- Take breaks, and use that time to observe how your body is reacting to the physical activity and temps.
- Don't eat big or drink alcohol before or right after shoveling. Too full of a stomach can put extra pressure on your heart. Plus, alcohol can make you feel warm and misjudge your body's reaction to the cold.
  - Push, don't lift. Lifting heavy snow increases blood pressure. Also, consider using a smaller shovel, and you'll have less weight to move. If you end up lifting, lift with your legs to avoid back injuries.
  - Learn heart attack warning signs, and pay attention to your body. If your chest feels tight, or you begin to feel dizzy, stop shoveling immediately.

*As we recognize American Heart Month in February, take this time to be good to your heart.* ■

*Sources: www.heart.org; www.ncs.org Photo credit: Filip Mroz*



By Gillette Vaira, M.A.  
Communications Manager  
EBMS, INC.

## Cold Weather Warnings

Lower temperatures do more than make you feel chilly. Colder weather can...

- Increase heart rate
- Increase blood pressure
- Cause blood to clot more easily and constrict arteries, decreasing blood supply

## Educating Your Members Begins with You

The Montana Automobile Dealers Association has partnered with EBMS to provide you and your employees with a variety of resources to keep you physically and financially well on your journeys. So pass it on! Consider sharing this information with your employees so you can empower them to be their healthiest selves. After all, a healthy workforce means a healthy business.







## 2018 MTADA Board of Directors

### **PRESIDENT**

**Eric Henricksen**  
Don Aadsen Ford  
Ronan  
406-676-4420

### **PRESIDENT-ELECT**

**James Johnson**  
High Plains Motors, Inc.  
Wolf Point  
877-818-1913

### **VICE PRESIDENT**

**Don Kaltschmidt**  
Don "K" Whitefish  
Whitefish  
406-862-2571

### **CHAIRMAN**

**Chuck Notbohm**  
Notbohm Motors  
Miles City  
406-234-4480

### **NADA DIRECTOR**

**Don Kaltschmidt**  
Don "K" Whitefish  
Whitefish  
406-862-2571

### **NADA PAC**

**Jim Stanger**  
Helena Motors  
Helena  
406-442-6310

### **OFFICE STAFF**

**Debbie Jean**  
Office Manager  
MTADA  
406-442-1233  
Cell: 406-461-6333  
bkkpr@mtada.com

### **DIRECTORS**

**Eric Henricksen**  
Don Aadsen Ford  
Ronan  
406-676-4420

**Joe Billion**  
Billion Auto Group  
Bozeman  
406-582-7777

**Tony Pierce**  
Snowy Mountain Motors  
Lewistown  
406-538-4014

**Chuck Notbohm**  
Notbohm Motors  
Miles City  
406-234-4480

**Aaron Jones**  
Courtesy Ford  
Conrad  
406-278-5533

**James Johnson**  
High Plains Motors, Inc.  
Wolf Point  
877-818-1913

**Erick Anderson**  
Placer Motors  
Helena  
406-442-2603

**Danton Wallin**  
Bozeman Ford Lincoln RV  
Bozeman  
406-587-1221

**Wade Rehbein**  
Rehbein Ford  
Plains  
406-826-3381

### **EXEC. VICE PRESIDENT & GOVERNMENT RELATIONS**

**Bruce Knudsen**  
MTADA  
406-442-1233  
cell: 406-461-7680  
bknuksen@mtada.com