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REPAIR SHOP & GASOLINE DEALERS ASSOCIATION
315-455-1301 -- 518-452-4367 – 585-423-9924 – 607-723-1849 – 716-656-1035

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Inside This Issue

Starting 9/30 - FDA's Final Rule Increases Minimum Age for Certain Restrictions on Tobacco Sales

By Diane Adam

Beginning Sept. 30, retailers will need to verify the age of anyone under 30

The Food and Drug Administration (FDA) on Thursday issued a final rule that raises the minimum age for certain restrictions on tobacco product sales.

Beginning Sept. 30, retailers must verify with photo identification the age of anyone under the age of 30 who is trying to purchase tobacco products, including e-cigarettes. Previously, this requirement applied to anyone under the age of 27. The federal minimum age for sale of tobacco products in the United States is 21.

Once implemented, the requirements are expected to help decrease underage tobacco sales, the agency said. "Today's rule is another key step toward protecting our nation's youth from the health risks of tobacco products," Brian King, director of the FDA's Center for Tobacco Products. "Decades of science have shown that keeping tobacco products away from youth is critical to reducing the number of people who ultimately become addicted to these products and suffer from tobacco-related disease and death."

The agency also said that retailers may not sell tobacco products via vending machine in facilities where individuals under 21 are present or permitted to enter at any time. This prohibition previously applied to facilities where individuals under 18 were present or permitted to enter at any time. The FDA said that "these, and the other changes made by the final rule, aim to maximize the public health impact of the original December 2019 legislation."

The Further Consolidated Appropriations Act, signed into law on Dec. 20, 2019, increased the federal minimum age for the sale of tobacco products from 18 to 21 across the United States. The 2019 legislation amends the Federal Food, Drug and Cosmetic Act, which gives the FDA the authority to regulate all tobacco products, including cigarettes, electronic cigarettes, cigars and hookah tobacco.

The FDA said it is "important" for retailers to request and examine photo IDs to verify age from anyone under 30, regardless of appearance, as research has shown that it is "difficult" for retailers to accurately determine the age of a customer from appearance alone.

To date, the agency has conducted more than 1.5 million compliance checks of tobacco retailers to ensure compliance with federal age restrictions. These inspections have resulted in 134,000 warning letters, more than 33,000 civil money penalties and 230 no-tobacco-sale orders for violations related to federal age restrictions, the agency said.

Looking to provide retailers with resources to improve compliance with tobacco laws and regulations, including age of sale restrictions, the FDA said it has developed This is Our Watch, a voluntary education program that offers free resources to assist retailers in calculating the age of customers, including a digital age verification calendar and an age calculator app.

In March, the FDA's Center for Tobacco Products launched its Searchable Tobacco Products Database, which can also be used by convenience stores and other retailers to "help facilitate compliance with the law," said King.

Credit & Debit Card Swipe Fees Reached $224B in 2023

Swipe fees charged by big banks and card networks to process credit and debit card transactions totaled $224 billion in 2023, nearly a third higher than previously believed, according to new data released by payments consulting firm CMSPI.

"This report shows that the cost of swipe fees is much higher than previously known and that the impact on small businesses and consumers is far more severe," said Jennifer Hatcher, executive committee member of the Merchants Payments Coalition (MPC) and chief public policy officer at FMI – The Food Industry Association. "This underscores the need for Congress to bring competition to the broken payments market as soon as possible."

In its new "State of the Industry Report," CMSPI found that credit and debit card swipe fees reached $224 billion last year, not the $172 billion reported this past spring by The Nilson Report, a trade publication that follows the card industry. CMSPI also stated that Visa and Mastercard credit card swipe fees averaged 2.94% of the transaction amount in 2023 vs. 2.26% reported by Nilson.

CMSPI reported that its figures include interchange fees, which go to card-issuing banks; network fees, which go to card networks such as Visa or Mastercard; and processing fees, which go either to a merchant's "acquirer" bank or a third-party processor. Interchange fees, the largest of the fee components, account for $143 billion of CMSPI's 2023 total.

MPC also noted that the total amount of swipe fees collected, which typically range from 2% to 4% and are most merchants' highest operating cost after labor, have more than doubled over the past decade, with fees driving up prices by approximately $1,700 a year for the average family, based on the CMSPI numbers.

Right to Repair Bill Not Considered for Vote in Congress

HR 906, or the REPAIR Act, was not considered for a critical vote this week, according to a press release from the Auto Care Association, presenting a setback in the right to repair’s fight on a federal level.

Being considered for a critical vote would have allowed the REPAIR Act to progress to the House floor, putting it one step closer to becoming law and granting independent repairers access to the data needed to repair many modern vehicles.

However, Cathy McMorris Rodgers (R-WA), House Energy and Commerce Committee Chair, urged supporters of the legislation to keep pushing for its advancement.

“I did want to mention one bill that we will not be considering today, the REPAIR Act, led by Dr. Dunn,” said McMorris. “I want to recognize the hard work that he, his staff, and numerous stakeholders have done since the bill was considered in the IDC subcommittee last October.”

Indeed, more than 100,000 letters have been sent to Congress, in addition to over 10,000 phone calls, in large part due to the help of ACA and its members.

While we aren’t marking it up today, a lot of progress has been made, and I would encourage members and stakeholders to keep working together to find a path forward on this important piece of legislation,” added McMorris.

ACA concluded its statement saying it will share plans to advance right to repair moving forward at AAPEX in November.

Automotive Right to Repair Law to Finally Take Effect in Maine

Maine’s right to repair law is slowly making progress to being implemented, reports CBS 13 News.

Though the law was passed by around 84% of Maine voters last year, it has faced roadblocks in its implementation since then.

Now, a small group of lawmakers is reportedly meeting to hash out the details of how the law will be enforced. A meeting was held last week in Augusta, with several more to follow before a final report and recommendations are submitted to the Legislature.

“We are looking forward to giving Maine consumers the right to choose who repairs their motor vehicles as soon as possible,” said Right to Repair working group member Mark Gallagher.

Auto Care Association Participates in Global Right to Repair Meeting

Auto Care Association President and CEO Bill Hanvey recently attended a meeting between automotive aftermarket organizations from across the globe to discuss the right to repair, according to a press release.

Automechanika 2024, held Sept. 11 in Frankfurt, Germany, hosted 30 different groups representing the aftermarket in Australia, Brazil, Canada, Colombia, India, South Africa, USA, and nearly 20 European countries, alongside European associations representing their sectors at European Union’s level.

The Right to Repair Global meeting saw discussions surrounding common challenges such as maintaining unrestricted access to repair and maintenance information and the freedom to use tools and spare parts.

Specifically, a lack of information from vehicle manufacturers on repairing EV batteries and the issue of parts captivity were of concern for attendees.

Representatives across these organizations all affirmed the need for legislative enforcement of independent repairers having access to critical repair data.

A Call to Keep Fighting for the REPAIR Act

Taking the stage during a luncheon at the Auto Care Association's Fall Leadership Days, President and CEO Bill Hanvey outlined the association's focal points in a state-of-the-industry style talk.

Leading with an update on Right to Repair, Hanvey stated that out of the 700 shop owners polled by Auto Care Association, 84% cited Right to Repair as their No. 1 concern, while 62% said they face Right to Repair issues daily. According to Hanvey, 51% of shop owners send five or more vehicles each month to dealerships for service due to their lack of diagnostic access. This translates to a $3 billion loss to auto repair shops annually.

Hanvey noted that members of Auto Care Association met with National Highway Traffic Safety Administration asking the agency to retract its dismissal letter to the Massachusetts attorney general's office. Hanvey highlighted that the association is working on nurturing its relationship with NHTSA and is gathering repair and data violations where there is a lack of compliance and could entertain a lawsuit in Massachusetts. "The law is in effect. Now we have to give it some teeth," Hanvey said.

In Maine, Auto Care Association has formed a governing body of auto care industry members, shop owners, and consumer protection groups to help monitor and create adherence to the newly enforced Right to Repair law in Maine.

In Washington, D.C., there are 56 bipartisan cosponsors federally. The bill is in the house where Hanvey and team are looking to have it pushed through the energy and commerce committee to schedule the REPAIR Act for consideration. Hanvey said that the industry has sent over 100,000 letters to Congress in support of Right to Repair.

"We're not going to stop. That's what makes us so different. We activate the industry through grassroots," Hanvey said.

Intended for both industry professionals and consumers alike to participate in, the "#RighttoRepair, RIGHT NOW" challenge asks shop owners, their employees and their customers to visit www.repairact.com. and send their legislator newly-drafted letters calling for action on the REPAIR Act.

Please educate your customers on the necessity of supporting the REPAIR act, by making copies of and handing out the letter found at the end of this bulletin.

Solving the Technician Shortage

Another initiative Auto Care Association is focusing on is helping to resolve the technician shortage by removing obstacles for students who want to pursue automotive careers. He's hoping to press the issue on financial aid legislatively to learn why trade students don't have equal access to grant money.

"Why can't we have Pell Grants for technical schools? We have to embrace the trade here in the United States like they do in Europe. They have wonderful trades programs; they value their trade programs," Hanvey remarked.

Each year, 48,000 students graduate from tech programs, but the auto care industry needs 258,000 workers. Hanvey said more cars are on the road, and more are in the sweet spot for the aftermarket—outside of warranty—and each year, the demand for technicians grows.

"We need to invest in young men and women," Hanvey said. "The consumer feels the shortage, you feel it. There are increased waits and costs for drivers. There's an incremental downstream effect," Hanvey said.

He pointed to new educational materials Auto Care Association has produced for shop owners and industry professionals to help them share the trades and engage and educate young people on the industry at job and career fairs. It's a similar strategic approach he's taken to pushing Right to Repair into prominence. According to Hanvey, the association has identified 20-plus workforce training bills at the federal and state level and nine states with apprenticeship programs, tax credits, and tuition assistance.

"We're going to use our advocacy to get legislature passed to address the technician shortage," Hanvey said.

Automotive Parts Supply Chain Threatened by Potential Dockworkers Strike

A potential strike among dockworkers in the East Coast may bring with it impacts on the automotive industry's supply chain, according to Automotive Logistics.

The International Longshoremen's Association represents more than 85,000 dockworkers, with its operations spanning much of North America's east coast. It operates ports in cities including Boston, New York, Philadelphia, Baltimore, Hampton Roads, Wilmington, Charleston, Savannah, Jacksonville, Miami, Tampa, Mobile, New Orleans, and Houston.

With the current contract between ILA and the United States Maritime Alliance, a group representing dock employers, set to expire at the end of September, ILA is asking for higher wages proportionate with the billions of dollars in profit ocean carriers are currently making.

Little headway has been made in these discussions, though, with talks between ILA and USMX hitting a brick wall in June. If no agreement is made before Sept. 30, the ILA has said dockworkers will immediately begin striking.

With most of the ports operated by ILA members having to do with automotive parts and inbound logistics, a strike is expected to disrupt these supply chains.

With the collapse of the Francis Scott Key Bridge earlier this year, other ports in Baltimore and nearby in New York, Norfolk, and Philadelphia have already been under additional strain. Additionally, September is usually one of the busiest months for U.S. container imports, which last month rose by 13% from last year.

Shipping company Maersk has issued notices warning that potential strikes, even if brief, may result in backlogs that will take weeks to correct.

Christian Roeloffs, co-founder and CEO of shipping marketplace Container xChange, shared that as a potential strike comes closer, there may be a burst of demand for companies to secure leased containers.

However, efforts made earlier in the year to avoid supply chain disruptions may help offset the rise in demand for container cargo, Roeloffs added.

"This stockpile will act as an essential buffer, mitigating the risk of container rates spiking dramatically due to the strikes," said Roeloffs.

U.S. Government Proposes Ban on Automotive Parts, Software From China

The U.S. Department of Commerce has moved to enforce a ban on certain automotive components originating from China, according to Politico.

The proposed rule would apply to hardware and software associated with a Vehicle Connectivity System, as well as software integrated with the Automated Driving System.

With the ADS allowing for autonomous driving, and VCS containing the set of systems a vehicle uses to communicate externally, government officials argue that components of these systems may be manipulated for ulterior motives.

"Cars today have cameras, microphones, GPS tracking, and other technologies connected to the internet," stated Commerce Secretary Gina Raimondo. "It doesn't take much imagination to understand how a foreign adversary with access to this information could pose a serious risk to both our national security and the privacy of U.S. citizens."

The rule would cover fully-assembled vehicles as well as individual components and software systems. Limitations on vehicle software would take effect beginning model year 2027, with new rules coming into play for vehicle hardware in model year 2030.

For manufacturers in countries like Germany, South Korea, and Japan, this new requirement may force them to find new suppliers for vehicles they export to the U.S.

Of the $480 billion in vehicles and auto parts imported to the U.S. last year, Mexico was the largest supplier, followed by Canada, Japan, South Korea, and Germany. In contrast, China imported a little over $17 billion worth of product, with $14.4 billion of that being attributed to automotive parts.

The new rules would apply to components and software from Russia as well, though it is not a significant supplier of either vehicles nor parts to the U.S.

Critics of the announcement have cited that the rule is too sweeping, such as VDA, the German Automotive Industry Association.

Not all (information and computer technology) components from countries of concern pose a threat to national security," wrote the organization.

Numbers: How Auto Shop Leaders Lead

Leadership is at the heart of all successful independent auto repair shops. As John Maxwell observes, "The single biggest way to impact an organization is to focus on leadership development. There is almost no limit to the potential of an organization that recruits good people, raises them up as leaders, and continually develops them."

Astute leaders in auto repair shops can elevate their teams in professionalism while unlocking their full potential. Effective leaders drive team cohesion, a spirit of innovation, and enhance customer satisfaction. Every leader has a definitive style. Here's what respondents of the 2024 Ratchet+Wrench Industry Survey Report said was their method of leading.

- Direct involvement: 36% -- "I get dirty on the shop floor and lead by example"
- Visionary: 27% -- "I focus on the big picture and inspire my team to succeed"
- Hands-Off: 27% -- "I trust my team with key decisions and am not afraid to delegate"
- Democratic: 20% -- "I encourage my staff's input in decision-making"
- Authoritarian: <1% -- "It's my way or it doesn't get done"

Fisker Vehicle Recalls Not Covered by Automaker Following Bankruptcy

Following electric vehicle manufacturer Fisker's bankruptcy, owners of recalled vehicles from the company may be left high and dry, according to Green Car Reports.

The automaker recently put a notice up on its website informing owners of recalled Fisker Oceans that they will have to pay for any required repairs as the company proceeds with a Chapter 11 bankruptcy.

While Fisker will provide necessary parts, it will not cover the cost of labor. The company said it will be working to get parts to authorized service providers by the end of September. The Fisker Ocean has had four recalls issued this year, the most recent impacting over 7,000 vehicles.

28 Americans Now Dead From Fatal Takata Airbag Inflators

Sept. 6, 2024

The National Highway Traffic Safety Administration has received reports of another death occurring as a result of defective Takata airbag inflators, marking the 28th fatality since 2009.

Reuters reports that Honda Motor shared with NHTSA that the death occurred in 2018, in a Honda vehicle located in Alabama. The driver suffered fatal injuries.

Honda added that this is the 20th U.S. death to occur in a Honda or Acura vehicle as a result of Takata inflators.

While the automaker said that over 95% of its recalled vehicles had their airbag inflators replaced, it is still working to address those that remain.

Over 781K Jeeps Under Investigation for Underhood Fires While Parked

The National Highway Traffic Safety Administration is launching an investigation into reports of Jeep SUVs catching on fire—the majority of which were parked and turned off, reports Reuters.

Over 781,000 Jeep Wrangler and Gladiator vehicles are included in the preliminary evaluation, which was announced yesterday. NHTSA has received nine reports of fires and one injury occurring in vehicles from model years 2021 through 2023.

Additionally, most of the reports detail the ignition being off when the vehicles caught fire. The owner of a 2022 Gladiator in Auburn, Washington, experienced their vehicle bursting into flames outside their house after not being driven for two weeks.

"There were no warnings of symptoms and our Jeep app showed everything was normal when last driven," said the owner.

Stellantis has said it is cooperating with NHTSA, and shared that most of the fires were coming from the front passenger side of the engine compartment, in the power steering pump electrical connector.

A preliminary investigation is the first step NHTSA must take before it can determine the need for a recall. In the meantime, it's a safety concern that not just owners of affected vehicles, but any business housing them, should be aware of to avoid unforeseen accidents.

"If I owned one of these vehicles, I certainly wouldn't want to park it in a garage," Michael Brooks, executive director of the nonprofit Center for Auto Safety, told CBS News.

Over 50 Rivian Vehicles Awaiting Delivery Catch on Fire at Illinois Plant

Over 50 Rivian vehicles that were awaiting delivery to customers at the automaker's Normal, Illinois electric vehicle plant caught fire this past Saturday, reports Inside EVs.

The incident occurred just before 9:45 p.m. on Saturday, in the facility's parking lot. Though the plant itself was not impacted by the fire, a video shared after the fire showed around 57 vehicles damaged by the fire, which appear to have been mostly R1S and R1T models.

It wasn't until Sunday at midnight that the fire was confirmed to have been extinguished, though crews stayed on site afterward to be cautious.

The cause of the fire at the plant—which assembles all of Rivian's current models—is not known. An investigation is currently underway by the Normal Fire Department to discover what the reason for the fire was.

"We are investigating the cause of a fire that damaged a number of vehicles in a parking lot at our Normal plant late Saturday night," a Rivian spokesperson stated. "The plant itself is unaffected. There were no injuries."

Though EVs are less likely to catch on fire than internal combustion engines, when they do, they are much more intense and difficult to tame. With incidents such as this, as well as controversy surrounding battery fires in South Korea, more concerns may arise surrounding the current state of EV battery technology.

ASA Praises Attempts to Overturn EPA Emissions Regulations

The Automotive Service Association has released a statement in favor of the U.S. House of Representative's recent passage of House Joint Resolution 136, which would nullify the Environmental Protection Agency's new regulations for emissions.

ASA has argued that EPA's new standards advance the EV transition at a pace that independent repair providers are not able to keep up with, adding that these businesses invested in the EV sector under the assumption the transition would be at a slower pace.

In response to the advancement of H.J. Res. 136, President Biden said he would veto it if it does pass the U.S. Senate and make its way to his desk. His reasons for this included improvements in public health from reduced emissions, and not losing ground in EV development to competitors like China.

"The automotive repair industry isn't pro- or anti- EV. We just want to make sure that we can repair our customers' vehicles," said Scott Benavidez, president of the ASA Board of Directors and owner of Mr. B's Paint & Body Shop in Albuquerque, New Mexico.

General Motors Releases $225 Electric Vehicle Adapter for Tesla Superchargers

General Motors has officially introduced North American Charging Standard adapters for its EVs—but, unlike other automakers, will charge its customers for the piece, according to Green Car Reports.

GM first unveiled plans last year to adapt its vehicles for NACS, following similar plans being released from other automakers at the time. This past spring, Ford and Rivian began shipping free NACS adapters to its customers.

The rollout of GM's adapters differs slightly, though, in that vehicle owners will have to pay $225 for one, as opposed to Ford and Rivian's complementary adapters.

Drivers of GM EVs will have access to 321,800 DC fast-charging and Level 2 AC public chargers with the adapter, and the in-vehicle charging app will be optimized for compatibility with Tesla Superchargers.

The automaker is actively working with multiple suppliers to ensure no supply chain issues crop up as the adapters are sent out to customers.

Hyundai Developing 'Extended Range Electric Vehicle' Capable of 560 Miles in Range

A new type of electric vehicle in development by Hyundai will seek to address consumers' fears surrounding range anxiety, according to Interesting Engineering.

Called the Extended Range Electric Vehicle, it utilizes an internal combustion engine to generate electricity that recharges the battery when its charge runs low.

Using a new powertrain and power electronics (PT/PE) system, the vehicle would also be capable of four-wheel drive through the application of two motors.

The automaker has said its EREV is capable of traveling up to 560 miles on a single charge. For comparison, EVs with the longest ranges as ranked by Car and Driver didn't come close, topping out at 410 miles from the Lucid Air.

There is also speculation that the vehicle may be competitive as an affordable EV option due to its smaller battery capacity.

As of now, Hyundai is planning to launch an EREV in 2027, with mass production of EREVs in North America and China beginning in 2026. The first vehicles to feature EREV technology will likely be Hyundai and Genesis D-class SUVs, such as the Santa Fe and GV70.

Hyundai has said it would plan to sell around 80,000 of these vehicles annually. Hyundai and Kia are also working on incorporating EREV technology into pickup trucks that are already under development by Hyundai, with plans to begin releasing them in 2028.

Mercedes-Benz Developing Solid-State Batteries

Mercedes-Benz is collaborating with battery startup Factorial to produce solid-state batteries for EVs, Reuters reports.

The new battery, called Solstice, would provide 80% greater range than the current average for EVs, having an energy density of 450 Watt-hours per kilogram.

In an announcement earlier this week, the companies said in a statement that they expect the battery to be ready for production by the end of the decade. Factorial has already developed quasi-solid-state batteries that are being tested by Mercedes and other automakers, and are expected to be found in EVs on the road by 2026.

Toyota recently announced plans to begin developing its own solid-state battery and bring it to market by 2027 or 2028.

A solid substitute that substitutes the liquid electrolyte found in other batteries would allow for a more compact size. Solid-state batteries would also not require a cooling system, allowing for more weight to be taken off. The decreased size would mean fewer costs and the ability to offer EVs at a lower price.

A lighter battery would also allow Mercedes to substitute high-strength aluminum for the less expensive and carbon-intensive material of steel, according to Mercedes Chief Technology Officer Markus Schaefer.

Schaefer added that the solid-state batteries being developed with Factorial would provide a 40% increase in energy density compared to the high performance batteries Mercedes is currently using. This could allow the automaker to either shrink battery sizes, or to offer EVs with long ranges.

There are still challenges that remain to be addressed with solid-state batteries, though—namely, their potential to expand and losing performance ability in colder weather.

Hybrids Help Boost EV Sales Levels in Q2, EIA Says

U.S. sales of electric and hybrid vehicles rose in the second quarter of the year, with increased interest in hybrid vehicles helping to reverse a decline in EV sales seen during the first three months of 2024, according to the Energy Information Administration.

Hybrid vehicles, plug-in hybrid electric vehicles, and battery electricvehicles made up 18.7% of new light-duty vehicle sales during the quarter, up from 17.8% in Q1 2024, according to EIA, which cited data from Ward's Intelligence.

Sales of hybrid vehicles comprised 9.6% of new LDV sales in Q2 2024, an increase from 8.6% of the market in the first quarter and a 30.7% year-over-year increase from sales figures seen in Q2 2023, EIA said.

Plug-in hybrid electric vehicles represented 2% of the market in Q2, a slight increase from 1. 7% a year earlier. Battery electric vehicles made up 7.1% of LDV sales during the quarter, largely unchanged from the year earlier, EIA said.

The rising popularity of hybrids among consumers hesitant to fully embrace electric vehicles has been noted by automakers, with Ford citing weaker-than-anticipated EV demand last week when announcing it was cancelling plans for a large electric sport-utility vehicle. The company instead said it would offer hybrid versions of its large SUVs.

The Wall Street Journal on Sunday reported that with EV sales lagging earlier forecasts, manufacturers are turning to hybrid vehicles to help them meet tougher tailpipe emission rules adopted by the Biden administration. The newspaper, citing data from automotive-research site Edmunds, noted that there are now 47 plug-in-hybrid models on sale in the U.S., nearly double the offerings available in 2019.

In addition to driver worries about range and charging availability, cost differences remain between battery electric vehicles and those powered by gasoline, though the difference is narrowing.

The average transaction price of BEVs declined during the first six months of the year, falling from $57,405 in January to $56,371 in June. BEV transaction prices, which were 21.1% higher than average LDV sales prices in January, were 15.9% higher in June, according to EIA.

Still, most battery electric vehicles sold during the quarter - 73.8% - were in the luxury vehicle category. Luxury vehicles accounted for 8.3% of hybrid sales and 29.2% of plug-in hybrid sales, according to the agency.

Tesla also saw its hold on the electric vehicle market loosen slightly, with the manufacturer's vehicles making up 48.9% of the total electric vehicle market during the second quarter, the first time since 2017 its market share has dipped below 50%, EIA said. Even as it sought to scale back its embrace of EVs, Ford saw its share of the market rise to 8%, the second-largest share. Ford's standing in the market was driven by sales of the Mustang Mach-E and F-150 Lightning, EIA said.

--Reporting by Steve Cronin

US Provides $521 Million in New Funding for EV Charging Infrastructure

The U.S. government on Tuesday announced $521 million more in grants to help build out the electric vehicle charging and alternative-fueling infrastructure along designated highways, interstates and major roadways.

The Charging and Fueling Infrastructure Grant Program funds, part of the Bipartisan Infrastructure Law, will be available in 29 states, eight federally recognized tribes and the District of Columbia, according to a news release from the Joint Office of Energy and Transportation.

More than half of the funds will go to projects in disadvantaged communities, the release said.

Some examples of where the funds are going include $15 million to the City of Milwaukee to install EV chargers at 53 sites citywide and $3.9 million to install publicly accessible community chargers on the Sioux Reservation in North Dakota.

--Reporting by Donna Harris

US Vehicle Miles Rose 1.2% in July Year to Year: DOT Data

Total vehicle miles traveled by U.S. motorists increased moderately in July compared to a year ago, rebounding after June's decline, according to data released Wednesday by the Department of Transportation's Federal Highway Administration.

Travel on all roads and streets totaled 293.3 billion miles in July, up from 289.8 billion miles seen in June, DOT data showed.

Vehicle miles fell 0.4% year to year in June after they rose 1.3% in May and 2.2% in April.

On a seasonally adjusted basis, July vehicle miles were little changed compared with those in June, according to DOT data.

On a regional basis, the North Central which includes 13 Midwest states, the South Gulf which includes Texas and eight Southern states as well as the Northeast led the nation with the strongest year-to-year gains in vehicle miles, DOT data showed.

Significantly cheaper prices at the gas pump compared to a year ago prompted motorists to take more road trips during the Fourth of July weekend, which marks the peak of summer driving season, analysts said.

That trend was also a reversal from June, when record-breaking U.S. temperatures particularly in North Central and Northeast altered travel patterns. Analysts also cited weak U.S. employment growth for June's decline.

According to OPIS DemandPro which tracks more than 30,000 U.S. gas stations, average station gasoline volume fell 5% year to year. Improving fuel mileage and more electric vehicles on the road may explain how miles traveled increases even as fuel demand may have fallen.

--Reporting by Frank Tang

FBI Report Shows Drop in US C-Store, Gasoline Station Robberies in 2023

The number of robberies reported at U.S. convenience stores and gasoline stations fell at a higher rate than all robberies in 2023, the FBI said Monday in its annual update of crime data.

Overall robberies in the U.S. last year fell by about 0.3% from 2022, the bureau said in a news release.

Over the same period, the Uniform Crime Report data showed reported robberies of c-stores dropped by 2.4% to 14,068 and by 3.1% at gasoline stations to 8,269. All robberies, including incidents at c-stores and gasoline stations, spiked significantly in 2022 as Covid-19 restrictions eased.

But robbery totals at convenience stores last year are lower than totals before the pandemic, and robbery totals at gasoline stations are trending higher than they were before the pandemic.

In 2019, for example, robberies at convenience stores totaled 15,975, or about 12% higher than in 2023, the data showed. Robberies at gasoline stations totaled 7,428, about 11% lower than last year.

The FBI also reported that overall violent crime in the U.S. last year fell by about 3% from 2022.

The agency on Monday released detailed data on more than 14 million criminal offenses for 2023 reported by participating law enforcement agencies. More than 16,000 state, county, university and college and tribal agencies covering about 94.3% of the U.S. population submitted data last year.

--Reporting by Donna Harris

U.S. Gasoline Station Wages Dip in July after Hitting Record in June

The average hourly wage for nonmanagerial workers at U.S. retail gasoline stations and retail gasoline stations with convenience stores saw little change month to month in July after hitting highs in June, the Bureau of Labor Statistics reported on Friday.

Average gasoline station wages were down a penny, and average gasoline stations with convenience stores increased by a penny.

In July, the average hourly wage for gasoline stations was $17.32, down from $17.33 in June, which was revised from the $17.36 average reported a month ago. July's average was 2.4% higher than the $16.92 average a year ago.

The average hourly wage for gasoline stations with convenience stores was $17.14 in July, up from $17.13 in June, which was revised from the $17.17 average reported a month ago. Average wages for both June and July are now below the high of $17.15 reached in January.

Rival channels like supermarkets and liquor stores still pay more competitive wages than the convenience-fuel business, and both channels saw an increase in July. The average hourly wage for nonmanagerial workers at supermarkets was $17.61 and $18.81 at liquor stores, the bureau's data showed.

Fast food restaurant wages are rising faster than wages for the fuel-convenience channel, though their average pay is still lower. Limited-service restaurants averaged $16.16 for nonmanagerial workers in July, up 3cts from $16.13 in June and 4.9% higher than the average $15.41 paid a year earlier.

The average hourly wage for nonmanagerial workers across all retail businesses declined in July for the first time in six months, the bureau's data showed. In July, the average retail worker made $20.84/hour, down from $21.02 in June. A year earlier, the average retail wage was 1.3% lower at $20.57.

The bureau's latest figures for August showed the average hourly wage across all retail businesses rose to $21, up 16cts month to month and up 2.2% from $20.55 a year earlier. The latest monthly figures are not seasonally adjusted.

--Reporting by Donna Harris

National Survey Finds Drop in Youth E-Cigarette Use

Half a million fewer U.S. youth reported current use of e-cigarettes in 2024 compared to 2023, according to new data from the "National Youth Tobacco Survey" (NYTS) released by the U.S. Food and Drug Administration (FDA) and the U.S. Centers for Disease Control and Prevention (CDC).

The survey found a significant drop in the number of U.S. middle and high school students who reported current (within the past 30 days) e-cigarette use, a decrease from 2.13 million (7.7%) youth in 2023 to 1.63 million (5.9%) in 2024.

This decline was largely driven by reduced e-cigarette use among high schoolers (1.56 million to 1.21 million), with no statistically significant change in current e-cigarette use among middle school students. The number of youth who used e-cigarettes in 2024 is approximately one-third of what it was at its peak in 2019, when more than five million youth reported current e-cigarette use.

Among youth who currently used e-cigarettes, 26.3% reported using e-cigarettes daily. The vast majority used flavored products (87.6%), with fruit (62.8%), candy (33.3%) and mint (25.1%) being the top three most commonly used flavors. The most popular youth brands included Elf Bar (36.1%), Breeze (19.9%), Mr. Fog (15.8%), Vuse (13.7%) and JUUL (12.6%).

Over the past year, a substantive drop occurred in reported use of products under the Elf Bar brand. Elf Bar is not authorized by the FDA and has been the subject of focused compliance and enforcement actions by the agency since early 2023, including more than 1,000 warning letters and 240 civil money penalties to retailers and others in the supply chain. The FDA has also issued import alerts for Elf Bar products, which places them on the "red list" and allows the agency to detain products without conducting a full inspection at the time of entry.

Youth nicotine pouch use did not show a statistically significant change from 2023. The most commonly reported brands among that group were Zyn (68.7%), on! (14.2%), Rogue (13.6%), Velo (10.7%) and Juice Head ZTN (9.8%). Among those who currently used nicotine pouches, the vast majority used flavored products (85.6%).

FDA Continues Crackdown on Unauthorized E-Cigarettes

In September, the U.S. Food and Drug Administration (FDA) made several moves against tobacco manufacturers and retailers for the sale of unauthorized tobacco products, including issuing civil money penalties (CMP) against several for their failure to comply with earlier warnings.

The agency initially issued six warning letters to manufacturers and retailers for the sale or distribution of unauthorized e-cigarette products promoted at an industry trade show. The letters were issued after an FDA investigation was launched in the wake of personal observations made by Center for Tobacco Products (CTP) staff attending the show.

The FDA additionally issued warning letters to five online retailers for selling unauthorized e-cigarette products popular with youth, including products marketed under the brand names Breeze, Mr. Fog and Raz. Results from the recently released 2024 National Youth Tobacco Survey found that Breeze and Mr. Fog were among the top five most commonly used brands among youth who use e-cigarettes.

The companies receiving these warning letters sold or distributed e-cigarette products that have not been granted FDA marketing authorization in violation of the Federal Food, Drug and Cosmetic Act. Warning letter recipients are given 15 working days to respond with the steps they will take to address the violations cited in the warning letter and to prevent future violations.

Failure to promptly address the violations can result in additional FDA actions such as an injunction, seizure and/or civil money penalties. In the case of two brick-and-mortar retailers and nine online retailers, follow-up inspections revealed that the retailers had failed to correct their violations even after given time to comply with previous letters. Accordingly, the agency is now seeking a CMP of $20,678 from each retailer.

Throughout the last year, the agency has conducted inspections of retailers to identify those selling unauthorized e-cigarettes — including in August, July, June, May, March and February. To date, FDA has filed civil money penalty complaints against 70 manufacturers and 160 retailers for distribution and/or sale of unauthorized tobacco products.

The newly issued penalties are similar in scope to previously sought fines.

Texas Company to Pay $2.9 Million to Settle Defeat Device Allegations: EPA

A Texas-based automotive aftermarket parts manufacturer and retailer will pay a civil penalty of more than $2.9 million under a settlement with the Environmental Protection Agency over the manufacture and sale of emission defeat devices, according to EPA.

The settlement also calls for COBB Tuning Products to stop the manufacture and sale of defeat devices, according to an EPA announcement about the Monday settlement.

EPA alleged that COBB manufactured or sold more than 90,000 defeat devices since January 2015. These included 81,000 tuners that changed vehicles' computer programming to disable emissions controls or alter engine performance and 8,400 exhaust replacement pipes that did not meet required specifications.

Defeat devices allow drivers to disable a vehicle's emission controls in an effort to increase performance.

EPA alleged the devices COBB manufactured and sold were prohibited under the Clean Air Act.

In addition to stopping the sale of the devices, the settlement calls for COBB to destroy devices still in inventory that violate the Clean Air Act, notify customers that bought such devices and stop providing technical support or honoring warranty claims for those devices, conduct compliance training for employees and contractors and remove defeat features from its software.

The settlement, however, allows the company to continue to sell tuners and software tunes that do not increase emissions above legal levels, EPA said.

COBB did not respond to a request for comment by publication Tuesday.

The settlement is the latest in a series of actions EPA has taken in recent years targeting the manufacture and sale of defeat devices.

--Reporting by Steve Cronin

Your Inspection License May be Worth Money

Depending on where you are located, it may be possible to sell your license. Before merely turning it in, contact the association for further information.

DMV Record Retrieval

DMV record retrieval is available to association members and affiliates at a cost of $12 per record. Additionally, you may order DMV certified paper abstracts of driver’s license, vehicle registration, and vehicle title records for an additional fee of $2 per abstract. Please call (518) 452-4367, (585) 924-4423, (607) 723-1849 (315) 455-1301or (716) 656-1035

Attention All Members: Filing a FINCEN BOI Report

We have been reporting the necessity for our membership to file a FINCEN BOI report. Although there are several legal challenges to the requirement to file the report and the possibility of legislative action to modify the requirement for filing deadlines, the requirement still stands as of this moment. One legal challenge was successfully upheld, but the Department of the Treasury has claimed that the challenge only applies to the plaintiffs in the case, and not all pertinent members.

There have been several companies that have solicited businesses to file the form for them. While some may be legitimate, there is no reason to pay them for something that takes only a few minutes to do online. **Worse yet, some of these solicitors are scammers, trying to obtain your business and personal information for the purpose of stealing your identity.**

Several videos have been posted which purport to explain step-by-step instructions for filing the BOI report online. Many of these are incomplete, or worse yet contain inaccurate statements. After reviewing several videos and comparing them to the guidelines published by the Department of the Treasury, the best video we have found is

https://www.youtube.com/watch?v=HxBmPsF5Ufc

To file a report online go to https://fincen.gov/boi

Some things to remember:

1. Even if you are exempt, you are still required to file a BOI report. You simply check the box indicating that you are exempt, and enter the required information.
2. Request a FINCEN ID number. It will make future filings easier.
3. Businesses which were created before January 1, 2024 must file before January 1, 2025.
4. Businesses which were created this year are required to file the report within 90 days of the effective date of their registration.
5. Businesses which are created after January 1, 2025 are required to file this report within 30 days of the effective date of their registration.
6. Should any information for your business change, such as a change of address for the business or any owner or a change in the business ownership, you must update the filing within 30 days.
7. Failure to file or update a report on time may result in a civil penalty of up to $500 per day.
8. Failure to file or update a report on time may result in a criminal penalty of up to 2 years in prison and a $10,000 fine.

SUPPORT THE REPAIR ACT AND SAVE MONEY

The amount of data collected by modern vehicle on-board systems is staggering. But who owns that data; the vehicle owner or the manufacturer? When it comes to vehicle repair the fight to secure data access for vehicle owners and their chosen independent repair facilities continues. Neal Dunn (R-FL-02), Brendan Boyle (D-PA-02), Warren Davidson (R-OH-08), and Marie Gluesenkamp Perez (D-WA-03) introduced the "Right to Equitable and Professional Auto Industry Repair (REPAIR) Act" in the House of Representatives this year. The bill is aimed at giving small independent repair shops the same kind of data access that licensed vehicle dealerships already receive.

"Americans should not be forced to bring their cars to more costly and inconvenient dealerships for repairs when independent auto repair shops are often cheaper and far more accessible," said Rep. Rush. "But as cars become more advanced, manufacturers are getting sole access to important vehicle data while independent repair shops are increasingly locked out. The status quo for auto repair is not tenable, and it is getting worse. If the monopoly on vehicle repair data continues, it would affect nearly 860,000 blue-collar workers and 274,000 service facilities."

"The lack of meaningful consumer choice in the repair market harms low-income Americans and those in underserved communities most," Rush continued. "A single mother who relies on her vehicle to go to work and get her kids to school can't afford to wait days or weeks to have her car repaired at a dealership that is hours away and more expensive than the auto shop around the corner. The REPAIR Act is common sense, necessary legislation that will end manufacturers' monopoly on vehicle repair and maintenance and allow Americans the freedom to choose where to repair their vehicles."

The Federal Trade Commission (FTC) has determined that the monopoly that auto manufacturers and their dealers have leads to increased costs to the motoring public. The United States General Accounting Office (GAO) agrees with this opinion.

WHAT YOU CAN DO

So, what can you do as a vehicle owner to help the "Right to Repair" movement? Demand that the lawmakers that represent you also represent the need for fair and equitable access to all parts of the vehicle care equation. The Auto Care Association makes it easy to contact your Senator and Congressperson via their website:

https://www.repairact.com

Let them know your concerns. The form will ask for your address and automatically identify your representatives, while also drafting a letter to them. It's just that easy.

Please support the Repair Act by using this webpage to send a letter to your federal lawmakers. It will take only 30 seconds.