

**WMDA
CAR**

NEWS

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SEPTEMBER 2018

An Official Publication of the Washington DC, Maryland & Delaware Service Station & Automotive Repair Association



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See Pages 2-5

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KIRK'S KORNER

Member Update

by Kirk McCauley
Director of Member Relations & Government Affairs

NOVEMBER ELECTIONS

With eight weeks before elections, this is the time that every member can help make a difference in who ends up at the top of the ballot. In general, our Governor's Republican Party supports small business, but there are Democrats that also help us and we need to support them as well. I have listed those below:

- Katherine Klausmeier, Senate District 8
- Eric Bromwell, House District 8
- Geraldine Valentino-Smith, House District 23A
- Dereck Davis, House District 25
- Ned Cary, House District 31A

Do what you can to help the republicans and the above democrats with yard signs, posters and voting for them.

DISTRICT OF COLUMBIA DEPARTMENT OF ENERGY AND ENVIRONMENT

On August 20, I went to a hearing at the District of Columbia Department of Energy and Environment (DOEE) about how they will comply with EPA on a State Implementation Plan (SIP) dealing with air quality. Each state and the District of Columbia must submit a SIP plan to comply with the Federal Clean Air Act mandate.

Basically, D.C. has been dragging their feet on Stage II vapor recovery decommissioning. WMDA/CAR has had meetings on several occasions with DOEE personnel, but to no avail. We pointed out that according to EPA they were hurting the air quality. Onboard refueling vapor recovery (ORVR) is 98% efficient. Stage II, if maintained, was 76% and most likely much lower. The kicker is they are not compatible and can lose up to 10% efficiently when used together. It is a no-brainer.

We made our case, but only time will tell if they listened.

WMDA/CAR EXPO October 16, 2018

We're just seven weeks away from the WMDA/CAR Expo and Awards Dinner at Martins West in Baltimore. Now is the time to sign-up a free registration for the table top Expo which



will feature equipment for service stations and convenience stores, and a complete line of equipment and tools for repair facilities.

The Expo is the perfect time to talk to vendors and get that show price on everything from front-end machines and the latest in electronic test equipment to anything you need for a C-store. The Expo runs from 2:00 p.m. until 6:00 p.m. and we have expanded the show area from last year. There will be a light lunch from 3:00 p.m. until 5:00 p.m. and free drinks, with a cocktail reception on the show floor begins at 5:00 p.m. and runs until 6:00 p.m.

AWARDS DINNER

The highlight of the day is the Awards Dinner that begins at 6:00 p.m. I am almost finished with the Customer Service Contest (CSC) inspections and will notify the winners within the next week. Make your reservations now for the Awards Dinner featuring speakers Comptroller Peter Franchot and, hopefully, Governor Hogan.

Last year we were sold out at 430 seats, so this year we expanded the dining area. There is a complete line of Halal food and a traditional offering. A table of 10 is \$500.00 or \$55.00 for individual tickets. Don't wait, get your ticket now!

I HOPE TO SEE EVERYONE AT EXPO ON OCTOBER 16! ♦

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ACKNOWLEDGEMENTS & HARRY T. MURPHY
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6817 Dogwood Road
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**Tuesday,
October 16, 2018
2:00 p.m. – 9:00 p.m.**

Schedule of Events

TABLETOP EXPO

2:00 p.m. - 6:00 p.m.

LIGHT LUNCH (Expo floor)

3:00 p.m. - 5:00 p.m.

COCKTAIL RECEPTION (Expo floor)

5:00 p.m. - 6:00 p.m.

**BULL ROAST &
AWARD PRESENTATIONS**

6:00 p.m. - 9:00 p.m.



The WMDA/CAR Expo

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Bar-B-Que Chicken
Steamed Shrimp
Fresh Fried Fish
Italian Meatballs (all beef)
Baked Ziti (vegetarian)

SIDES

Corn on the Cob
Macaroni & Cheese
Rice
String Beans

DESSERTS

Assorted Cakes
Fresh Fruit
Ice Cream Sundae Bar

BEVERAGES

Mixed Drinks and Wine
Ice Cold Draft Beer, featuring Blue Moon, Coors Light, & Natty Bohemian
Assorted Soft Drinks, Iced Tea, Regular & Decaf Coffee

Menu Subject to Change

FREE EXPO ADMISSION (2:00 p.m. – 6:00 p.m.)

Free admission is restricted to owners and personnel of service stations and repair shops only.

☐ I will attend the Expo.

No charge to attend the Expo for Members in good standing. Please list names below:

Primary Contact: _____ Guest Name: _____

Guest Name: _____ Guest Name: _____

Please Note: Requests submitted by suppliers not exhibiting in the Expo, will not be accepted. An Expo pass is available for a fee of \$75. Soliciting on the Expo floor is prohibited, and is strictly enforced. Violators will be removed, and registration fee will be forfeited.

CONTACT INFORMATION

Company: _____

Mailing Address: _____

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Phone: _____ Email: _____

BULL ROAST TICKETS (6:00 p.m. – 9:00 p.m.)

☐ Individual Tickets\$55.00 x # _____ = \$ _____

☐ Table of 10\$500.00 x # _____ = \$ _____

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Questions?
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dwebster@wmda.net



LEGISLATIVE UPDATE

The Tax Outlook for the Service Station and Repair Industry

by Roy Littlefield IV

When it comes to the service station and automotive repair business, there is sometimes no bigger concern than taxes. Last year, Congress passed one of the most comprehensive tax bills in decades. Changes were made to the tax code on all levels. And with every change made to the tax code, there were winners and losers. WMDA/CAR, working through SSDA-AT, was on the front line fighting for our members during this process. WMDA/CAR has spent the last few months getting its members up to speed on the new laws and regulations.

Two of the big issues WMDA/CAR was concerned with in the tax bill was the Estate Tax and the Work Opportunity Tax Credit (WOTC).

WMDA/CAR has many members who own family businesses and would like to keep the business in the family and are thus impacted negatively by the Estate Tax at the time of death.

We have supported efforts to fully repeal the Estate Tax in the 115th Congress by supporting the Death Tax Repeal Act and HR 5422. In the tax reform package Congress passed, there is a provision that doubles the Estate Tax exemption from now through the end of 2025. In 2026, the exemptions would revert back to their current levels (\$5.6 million per individual and \$11.2 million per couple), indexed for inflation. The new tax affects estates of at least \$11.2 million per individual, or \$22.4 million for couples. SSDA-AT wanted full and permanent repeal of the Estate Tax which is what was in the House version of the bill. We are thrilled the exemption was raised as this will help more SSDA-AT members, but we have several other members who will still be negatively impacted by the Estate Tax and will find themselves over the exemption because of the value of their business.

For many family-owned businesses to stay in operation after the death of the owner, they must plan for the Estate Tax. Planning costs associated with the Estate Tax are a drain on business resources, taking money away from the day-to-day operations and business investment. These additional costs make it more difficult for the business owner to expand and create new jobs. Protecting family business from the Estate Tax is important in order to keep these businesses operating for future generations.

SSDA-AT will support any efforts made in Congress to fully repeal this tax. Our opportunity may be before the end of this year while the Republicans still have control of Congress.

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extenders which, to this point, form no part of Brady's "listening session framework."

Brady plans to enact the other key parts of his framework – reforming tax-favored retirement plans and making permanent TCJA's tax cuts for individual and pass-through taxpayers – in early September.

Another Brady goal, welfare reform, reported to the House in June in the "JOBS for Success Act" (HR 5861) will most likely see a House vote in September because the current welfare program expires September 30. However, it's unlikely welfare reform written by Republicans in Ways and Means will get very far; the Senate may end up reauthorizing the current program.

WMDA/CAR also supported efforts in the tax bill to preserve the Work Opportunity Tax Credit (WOTC). The WOTC is a Federal tax credit available to employers who hire and retain veterans and individuals from other target groups with significant barriers to employment. Many SSDA-AT members have taken advantage of this tax credit, putting hard working American veterans to work at their locations. Nearing the final days of the tax bill, it looked as if WOTC may have been lost. In a final push, SSDA-AT and its members worked with Senators from Maryland and Ohio to get a bi-partisan amendment introduced and passed, preserving WOTC in the tax bill. Unfortunately, there is no permanent certainty and the language only preserves WOTC until the end of 2019. SSDA-AT will work for the permanent extension of WOTC and will work to ensure that it is extended before it expires.

The opportunity to fully repeal the Estate Tax and make WOTC permanent may come before the end of the year. With the November elections on the horizon, Republicans are eager to push legislation before a potential swing in Congress. There is now a push to pass a "Tax Bill 2.0" in an effort to clean up any issues that have arisen with the recently passed bill and to push forward other tax wishes that were not addressed in the last bill.

Just recently, Ways and Means Chairman Brady released "Tax Reform 2.0 Listening Session Framework" with goals for further reforms to the tax code this year. Moving fast, Brady brought a large piece of his plan to the House floor and passed bills repealing the medical device tax, modernizing healthcare savings accounts, reforming water and agriculture taxes, improving Social Security services, and ensuring IRS workforce integrity, before the House adjourned till September 4.

Any one of these bills, especially H.R. 184 (Medical Device Tax Repeal, et al) and H. R. 6199 (Modernizing Health Savings Accounts) could be modified in the Senate to pass the tax

While it is yet unclear exactly what will be included in the final package, one major focus will be an attempt to make the individual tax cut provisions of the 2017 Tax Cuts and Jobs Act (which are set to sunset at the end of 2025) permanent. The cost of making these cuts permanent is anticipated to be in the \$600 billion range. Because of this price tag it is likely that these provisions will move in a separate bill from the other two sections of Tax Reform 2.0. It is not clear whether there would be any revenue offsets to this revenue loss. It





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can be put into the account. It is expected that many of the provisions included in the Retirement Enhancement and Savings Act of 2018 ("RESA") – S. 2526 and H.R. 5282 – will be part of the Tax Reform 2.0 bill. The centerpiece of RESA are provisions designed to make Multiple Employer Plans (MEPS) more accessible to small businesses. Under the bill, MEPS would become "open," meaning that the requirement that there be some nexus amongst the companies that adopt the MEP would be eliminated. Also, each separate plan would rise or fall on its own merits – no longer would one "bad" plan taint the whole group with the possibility that all the plans in the MEP could be disqualified because of the one bad apple (plan). Today, most plan advisors counsel their clients to stay away from MEPS because of these problems.

is likely that the House will pass this legislation knowing full well that it will not pass the Senate (because it would be improbable that there would be 60 Senators willing to pass this legislation). There also have been some suggestions about further lowering the corporate tax rate (down to 20% for C corps), though this is not mentioned in the outline. Given the high cost that would be associated with either or both of these proposals, one would think that Congressman Brady and his committee will be looking for revenue raisers to include in the package. On the other hand, the process so far has totally excluded Democrats, as was the case with the Tax Cuts and Jobs Act last year, so it may be that they will not include any revenue raisers.

Trends we are likely to see in the years ahead with respect to retirement plans based on current legislation that will not go anywhere at this time include virtually all businesses; but the smallest or the newest will have to provide a 401(k) or some sort of savings plan for their employees, a certain portion of retirement benefits will have to be invested in a lifetime income component, and coverage will be expanded to part-time employees.

In a clear effort to appeal to families, the Tax Reform 2.0 outline also indicates that the package will include an expansion of 529 educational savings accounts as well as provisions to allow individuals to access their retirement savings without penalty upon the birth or adoption of a child.

A second part of the Tax Reform 2.0 package will be aimed towards retirement plans, which at this juncture, are the only portions of the anticipated package which have bipartisan support. The two-page outline specifically mentions a universal savings plan proposal. The outline gives no further details but it is likely that this will be similar to the Lifetime Savings Account proposed years ago. Basically, this is a tax-free savings account with unlimited withdrawals at any time. We would anticipate some annual limit on the amount that

Finally, the Tax Reform 2.0 outline states that the package will also include new provisions to allow start-up businesses to write off start-up costs in order to encourage new business innovation and creation.

SSDA-AT will continue to closely monitor all upcoming tax proposals and we will continue to voice the concerns of our members to Congress. ♦

THE 2018-2019 WMDA/CAR MEMBERSHIP DIRECTORY & BUYERS' GUIDE IS NOW AVAILABLE!

The Membership Directory & Buyers' Guide has been released in pdf format to members in good standing, and may be accessed via the "Member Only" section of the WMDA website, login required.



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EDITORIAL

Get Out and Vote

by Roy Littlefield

On November 6, Americans will go to the polls to vote for candidates on the city, state, and national levels. Regardless of your party affiliation, I urge you to vote!

Let me share with you an interesting statistic. Nationally, less than 50% of eligible voters will vote. Yet over 50% of voters who belong to a special interest group (like WMDA/CAR) will vote. Of eligible voters who belong to two or more interest groups (like WMDA/CAR and SSDA-AT), about 75% will vote in the upcoming election. Why? Because voters like you are more engaged in the process and better informed of issues and candidates.

Most special interest groups, or associations, like WMDA/CAR and SSDA-AT, were formed to better participate in the legislative arena.

When looking at the records of the fiercely independent service station dealers and automotive repair operators who organized and began our state and national industry associations, they clearly saw a need to come together and speak in one voice to address problems that were simply too important to ignore, and too big to effectively address individually.

From the beginning, the new associations saw the need to better communicate with elected lawmakers, with suppliers, and with consumers.

Our young associations recognized the need to control the message. That message had to be developed and delivered by members. They believed then, and I have tried to carry the torch for decades, that nobody can tell your story as well as you can. That simple, but powerful formula has influenced legislation on the city, country, state, and national levels. It has produced important and landmark legislation that has improved your business environment.

For many years, we have passed important legislation, defeated challenging legislation, improved by amendments unclear statutes, and sued federal agencies for unfair regulations.

Our efforts in the area of public policy has grown in professionalism, stature, and effectiveness. We publish

position papers, weekly and monthly newsletters detailing our efforts, and monitoring industry legislation. We send the positions to elected officials on all levels of government. We annually pass association resolutions which dictate association policy. We testify at city, county, state, and federal lawmakers. And we meet with regulators on the city, county, state, and federal levels.

Many of you have testified this year in Washington, Dover, Annapolis, and on Capitol Hill. Recently, many of you were on Capitol Hill with your counterparts from around the country and met with Congressmen, Senators, and officials from the Department of Transportation, the Department of Labor, and the Federal Trade Commission.

You formed Political Action Committees to support legislators – of both political parties – who have supported you.

You have become sophisticated in the political system. It is thus logical why you are significantly above the national average when it comes to voting.

You have participated in the system. You have developed political positions. You have organized political action committees and attended political fundraisers. You lobby. You call elected officials. You attend hearings on legislation that affects us. You testify. You attend bill signing ceremonies.

For the most part, you know your friends in the halls of government. But you might not know everyone. I urge you to consider what issues are important to you and to your business, and to then take some time to learn if your candidates have been supportive of your issues. Take time to call Kirk to find out if your candidate in Washington, Delaware, or Maryland supported you on the issues you are most concerned with. Call either Roy or me to ask how our members in Congress stood on our issues.

You are the experts on industry issues. You have been active politically in your efforts on those issues. This is your opportunity to support – when it matters most – those elected officials who support you. It is an honor as an American to have the right to vote. It is important as a business leader to exercise that right to vote! ♦

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Lynott, Lynott & Parsons, P.A.
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LEGISLATIVE & REGULATORY INFORMATION



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