



NAEDA Update

NORTH AMERICAN EQUIPMENT DEALERS ASSOCIATION e-newsletter

Thursday, June 27, 2013

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Legislative & Regulatory News

Farm Bill fails in House

By a vote of 195-234 the House of Representatives have rejected the Federal Agriculture Reform and Risk Management Act of 2013 (H.R. 1947) last week, dealing a setback to bill proponents and leaving an uncertain path forward for passing a long-term Farm Bill.

Prior to the vote on final passage, the House debated over 100 amendments. Among the amendments adopted include one by Rep. Bob Goodlatte (R-VA) that would strip the supply management provisions from the dairy program, an amendment to reduce farm payment caps by Rep. Jeff Fortenberry (R-NE), and an amendment by Rep. Steve Southerland that would allow states to institute new work requirements for SNAP recipients.

With the surprising defeat of the bill in the House, next steps for the legislation remain unclear. Senate Majority Leader Harry Reid (D-NV) said Monday that he will not move a short-term extension through the Senate. House leaders could bring the legislation back to the floor with modifications in an attempt to pick up additional votes. Rep. Southerland suggested this week that his amendment, which some have said cost the bill the support of a number of Democrats, could be dropped and the bill brought back to the floor.

NAEDA submits dual use comments to IRS

NAEDA has filed comments with the IRS concerning their notice on dual use property. NAEDA followed others in the industry who also filed with the IRS including AED and Caterpillar.

What the IRS will do next is anybody's guess. The IRS could initiate an Industry Issue Resolution process to negotiate a safe harbor with the industry, develop guidance through some other route, or drop the issue all together. However, given the fact that the IRS itself proposed to undertake this exercise, we think the latter option is the least likely.

Copies of [NAEDA's](#) and [AED's](#) filings can be found here.

Engine oil ID required on invoices

The National Conference of Weights and Measures (NCWM) adopted a new standard in 2012 that regulates vehicle engine (motor) oil. This standard will impact equipment dealers in several states enforceable on July 1, 2013. The new standard requires invoices or receipts to include vehicle engine (motor) oil information, as well as, it requires labeling of any engine oil container, receptacle, dispenser or storage tank.

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From the NAEDA Office

Train Wrecks -More Regulations to Come

By Mike Williams

NAEDA is your watchdog for laws and rules that can impact your industry.

I believe most Americans know very little about the regulatory process at the federal level of government or even at their own state and local levels. Many times these regulations, rulings, decisions, etc. can be real train wrecks if allowed to stand or be implemented.

In a May 1, 2013 article published in Human Events, John Stossel had this to say about the details of President Obama's Affordable Care Act, so called Obamacare. I thought this is worthy of a read as the law goes into effect next year and the ensuing regulations that will be learned the hard way. Here is his take on the law:

[Read more...](#)

Supreme Court declines to hear ethanol fuel case

The Supreme Court on Monday declined to review a case that charged federal regulators allowed a mid-level ethanol fuel blend onto the market without proper testing.

The move preserves a space at the gas pump for E15 fuel, a mix comprised of 15 percent ethanol — compared with the standard 10 percent — and 85 percent petroleum by leaving intact a 2009 Environmental Protection Agency ruling that E15 is safe to use in cars made in 2001 or later.

The biofuel industry praised the decision, characterizing it as the nail in the coffin for attacks against E15 by the oil industry and food groups.

“I am pleased that today’s Supreme Court action ends a long and drawn out petroleum industry effort to derail the commercialization of E15. The uncertainty created by this lawsuit has chilled commercial activity that would provide American consumers more affordable choices at the pump,” Renewable Fuels Association CEO Bob Dinneen said in a statement.

[Read more...](#)



Industry & Manufacturing News

NAEDA participates in a new national ROPS initiative

On June 19th, NAEDA participated in the National Rollover Protection Structure (ROPS) Initiative Steering Committee meeting when it held its first meeting in Washington, DC. Attendees of the meeting included members from the Northeast Center for Agricultural and Occupational Health (NEC) within the New York Center for Agricultural Medicine and Health (NYCAMH), the University of Tennessee, the University of Kentucky, the American Farm Bureau Federation, ROPS manufacturing companies, social marketing groups, and insurance companies. Equipment manufacturers were represented by AEM while NAEDA represented equipment dealers.

The consortium discussed and debated strategies proposed to scale up ongoing efforts towards increasing ROPS adoption among tractor owners in the United States. Overall, the consensus of the Steering Committee was unified, in its dedication to work towards reducing the heavy toll tractor rollovers have afflicted on the American population. It was brought out at the meeting that 20% of today’s farm accidents are caused by rollovers and that comes with an average cost of \$960,000 for each accident.

Kawasaki names Kobayashi new GM of Engines and Power Products Division

Naoto “Nate” Kobayashi has been named as the new general manager at the Engines and Power Products Division of Kawasaki Motors Corp., U.S.A., based in Grand Rapids, MI. Kobayashi was most recently senior

“Many people lazily assume that the law will do roughly what it promises: give insurance to the uninsured and lower the cost of health care by limiting spending on dubious procedures.

“Don’t count on it.

“Consider just the complexity: The act itself is more than 906 pages long, and again and again in those 906 pages are the words, ‘the Secretary shall promulgate regulations ...’

“‘Secretary’ refers to Secretary of Health and Human Services Kathleen Sebelius. Her minions have been busy. They’ve already added 20,000 pages of rules. They form a stack 7 feet

high, and more are to come.

“Our old health care system was already a bureaucratic and regulatory nightmare. It had 16,000 different codes for different ailments. Under our new, ‘improved’ system, there will be more than a 100,000.

“Government likes to think regulations can account for every possibility. Injured at a chicken coop? The code for that will be Y9272. Fall at an art gallery? That means you are a Y92250. There are three different codes for walking into a lamppost— depending on how often you’ve walked into lampposts. This is supposed to give government a more precise way to reimburse doctors for treating people and alert us to surges in injuries that might inspire further regulation.

“On Government-Planned World, this makes sense. But it will be no more successful than Soviet central planning.”

I think Mr. Stossel summed that up pretty well, don’t you? But, that is only one set of regulations. If you have not had the chance to review a copy of the Federal Register that is published almost every workday, you should. You will see a continuous spiel of proposed, amended and/or new regulations coming out of the federal government. That stack of 7-foot-high regulations for Obamacare won’t hold a candle compared to the total height of all the published Federal Registers over the course of a year.

NAEDA Keeps Track for You

You are probably asking, “How do you know?” Well, one part of the work NAEDA does in government relations for our members is to read through each and every one of those Federal Registers looking for issues, problems and opportunities in the regulations that could negatively or positively impact your dealership and employees. We make comments to the federal agency when requested and/or offer suggestions to make the regulations better.

manager of Kawasaki Heavy Industries, Ltd. Parts Sales Department. He joined the organization in 1985, originally employed in the General Purpose Engine Group.

"I'm looking forward to working with the entire team here in Grand Rapids as we focus our attention on the many growth opportunities that are in front of us," said Kobayashi. "We have the products, programs, and people to achieve all of the objectives we've laid out."

The division recently announced that its supplier will no longer make power products as of the close of this calendar year. Kobayashi sees the renewed emphasis on engines as being a significant factor in that growth pattern. Kawasaki currently markets more than 40 general purpose engines, many of which are produced by Kawasaki Motors Manufacturing Corp., U.S.A., in its Marysville, Mo. facility, which has turned out in excess of seven million units.

[Read more...](#)

FAE USA, Inc. holds Open House/Conference & Demo Day

FAE USA, Inc. held an Open House/Conference & Demo Day at its North American headquarters in Flowery Branch, Georgia on May 9th, 2013.

The company is considered to be an industry leader in the design and manufacturing of land clearing, rock crushing and soil stabilization attachments with sales and business units operating in more than 35 countries. FAE USA, a wholly-owned subsidiary of FAE Group SpA of Fondo, Italy, specializes in advanced shredding technologies, is and provides all domestic sales and product support for FAE products in North America.

During the well attended press conference, Giorgio Carera, CEO of FAE USA, proudly listed some the achievements that have made FAE the market leader in the mulching industry and highlighted a new line of implements that will continue the company's tradition of setting the industry standards. Dealers, manufacturer's reps and customers learned about FAE's newest products and saw equipment demonstrations in an actual working environment under real-world conditions.

Upon returning from the demo site, the new FAE UML/SSL 150 VT mulcher head was unveiled. Company CEO Giorgio Carera stated, "this new skid steer head includes many upgrades from the previous model, but at the same retail price. We've put a lot of money into its development and we kept the price the same!"

One of the attachments that garnered a lot of interest was brought in by Tom King, President & CEO of Supertrak based in Punta Gorda, FL and Dave Evans of Supertrak in Cameron, NC. The specific machine displayed was a Supertrak 140RTL, a 4-wheel articulated custom built mulcher (140 HP, 125 hydraulic horsepower to the head and a 4-wheel articulated machine) which gives it a lot more mobility than the one of a small track machine with a crusher. This Supertrak machine utilizes the FAE STC SSL 150 stone crusher, which the company sells as a package.

Allen Tennis of Custom Truck & Equipment in Kansas City, MO who has been selling the FAE line for about a year had high praise for FAE products. "The customers like them. The products pretty much speak for themselves and the quality is outstanding. It's been a great addition to our product line. We also include these in our rental fleet, which is something that a lot of companies won't do. We're confident enough in the FAE head that it can go out and take the abuse that some of the rental customers are going to put on it."

There were some "first timers" in attendance at the event, including John Dal Bianco of F5 Equipment based in Stockton, CA. "I'll be selling the full line of FAE and Prime-Tech products in all of California, Nevada and Arizona. Our company specialty is in forestry and mastication products, and the FAE products are a good complement to our existing lines. Customers love these cutting heads. The products are very low maintenance and we hear no complaints whatsoever. We're excited to now get into the road maintenance units."

John Forgan of Southwest Ag in Durango, CO, a full line Kubota dealer for over 30 years said "the FAE heads are a good match with our product line. Tractor wise, we only go up to 135 HP at the moment, and in our rental fleet we offer a tractor with an FAE stone crusher. We've had success with this piece and also with FAE forestry cutters mounted on excavators for mulching timber, ditch bank mitigation and just overall clearing. We have quite a bit of oil field activity so we're looking to create more opportunities for sales of road and pad maintenance attachments, as well as for fire mitigation."

As the event was winding down, Carera stated that everyone seemed very positive that the market is coming back.

Lastly, other train wrecks in regulations sometimes come from court decisions. Whether they are from state or federal circuit courts, appellate courts or even Supreme Courts, they rule on laws and regulations every day that can make changes in how businesses must react and/or comply.

A great example of a court implication is when the U.S. Court of Appeals for the D.C. Circuit ruled on Jan. 25, 2013, that the three members of the National Labor Relations Board (NLRB) were unlawfully recess-appointed in January 2012 by the president. Based on that court ruling, the NLRB had lacked a quorum since August 2011 and all their hundreds of decisions since that time could be invalid.

When I titled this article with the word "train wrecks," I was being somewhat facetious. But, as we look at the work of the last Congress and the new 113th Congress, there are a number of items that will come with new regulations because of laws passed then or that are being considered now for passage. One document that was recently released by the House Ways and Means Tax Reform Working Groups for the full committee consideration included 560-plus pages of recommendations for tax reform alone. Think what the regulations would be if those tax changes were all signed into law! Other examples include: the farm bill, immigration reform, trucking regulations, water infrastructure funding, streamlined sales taxes and all the agency appropriations. More train wrecks? We can certainly hope not.

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About NAEDA Update

"We have new products ... including our new low flow mulching attachments we are introducing at this event," he said. "We explored this market for quite some time and found there was a good potential with contractors that own low flow machines who want to do multiple jobs and be able to add the ability to grind and mulch material and underbrush. What we saw were a lot of low flow skid steers owned by contractors looking for other options to fully utilize their machines and expand into other types of work. With the majority of the skid steer loaders on the market being low flow machines; this was a natural progression for our lineup of mulchers. These new attachments also carry over into utilization in the farming industry." The new low and high-flow attachments are now available.

Carera added, "FAE prides itself on using the best engineering and technology available as well as the best materials, such as Hardox steel. We are the only manufacturer in this segment of the industry that is permitted to carry the Hardox logo on our attachments."

To learn more about the machinery and attachments manufactured by FAE Group SpA, please call their North America office at 877-FAE-USA1 (323- 8721), visit www.faeusa.com, or e-mail us at info@faeusa.com

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About the FAE Group SpA of Fondo, Italy, FAE manufactures a broad line of attachments. The full line includes: skid steer mulchers, excavator mulchers, PO tractor mounted mulchers, prime mover mulchers, forestry tillers, rock crushers, asphalt grinders and track self-propelled mulchers (PrimeMovers).

NAEDA Industry Relations Taskforce meetings

NAEDA and our legal counsel Siegfried Bingham, continue to be extremely busy reviewing proposed changes by various manufacturers to their dealer agreements. Many of these reviews are being funded by the NAEDA Industry Relations Fund for the benefit of all dealers. NAEDA's Industry Relations Taskforce (IRTF) has future meetings set with John Deere (July 17-18). Additional requested meetings include Briggs & Stratton, Kubota, New Holland and AGCO. If you are a dealer for one of these particular brands, please feel free to contact NAEDA or your regional affiliate with any issue you would like to be addressed by the IRTF in their meetings.

Dealer Summit announced for GIE+EXPO

A highly relevant new seminar has just been announced for Dealer Day at GIE+EXPO in Louisville. On Oct. 23, a lunch-and-learn Dealer Summit will include a session unveiling new research about buying and attitude trends to help dealers be more effective in reaching top contractors. The seminar will also include a panel discussion on important developments like diversification, marketing, social media, sales management and more. Distributors are also encouraged to attend. Attendees will receive a full copy of the research report.

The new research will be presented by GIE Media, the publishers of Lawn & Landscape, Golf Course Industry and Green Industry Supply Chain News magazines.

Another just-announced presentation will include an incisive panel discussion featuring leaders from major manufacturing partners moderated by longtime industry leader Kim Rominger. Rominger is the executive vice president of Association Management Group and one of 16 association executives associated with the North American Equipment Dealers Association, which is helping organize the Summit.

Topics for the panel discussion will include how dealers fit into the future for these companies, how the companies plan to use online sales in the future, compatibility of electronic communications and billing systems and, of course, how they are responding to the challenge of E15.

The new Dealer Summit will run from noon until 3 p.m. on Wednesday, Oct. 23 at the Kentucky Exposition Center, the site of GIE+EXPO (the Green Industry & Equipment Expo) and the collocated Hardscape North America. Pre-registration is required for participation in the Summit. The cost to attend the Summit is \$50 and the cost to register for the tradeshow is \$10 through Sept. 11; \$25 Sept. 12-Oct. 22; or \$50 onsite.

Kris Kiser, president & CEO of the Outdoor Power Equipment Institute, one of the sponsors of GIE+EXPO, said, "Astute dealers and distributors will jump at this opportunity. This is a chance for them to hear, first hand, about the big trends impacting the market and how their supply partners plan to work with dealers in the future. "

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The North American Equipment Dealers Association provides educational, legal, legislative, and financial services to approximately 5,000 retail agricultural, construction, large property/rural lifestyle, and outdoor power equipment dealers in the United States and Canada.

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You must be a paid member of a NAEDA-affiliated association for your subscription to be accepted.



Dealer Day

GIE+EXPO's 2013 dates are Oct. 23-25. Wednesday, Oct. 23, will be an exclusive preview day for dealers, retailers, distributors and media. A Dealer Resource Pavilion will be open 9 a.m. - 7 p.m. and indoor exhibits will be open 3 - 7 p.m. During a welcome reception on the show floor, 5 -7 p.m., many of the exhibitors will host games, food, festivities and prizes in their booths, including a \$5,000 giveaway sponsored by STIHL Inc.

On Thursday and Friday the tradeshow and the adjacent Outdoor Demonstration Area will be open to all in the industry.

Registration

Now the 9th largest tradeshow in North America, GIE+EXPO is sponsored by the Outdoor Power Equipment Institute, Inc. (OPEI), Professional Grounds Management Society (PGMS) and Professional Landcare Network (PLANET). For information and online registration: www.gie-expo.com. Other contact points: [Facebook](#), info@GIE-EXPO.com and 800-558-8767/812-949-9200.

Source: GIE+EXPO

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NAEDA, Association & Program Partner News

NAEDA introduces digital edition of the Equipment Dealer Buyer's Guide

For years the North American Equipment Dealers Association has published the Equipment Dealer Buyer's Guide for dealer members and associates. This annual directory of equipment industry manufacturers, suppliers and distributors is a sought after publication that dealers reference year round.

Dealers are no strangers to incorporating new technology in the operation of their business and to meet the ever increasing technological needs of their customers. In today's digital world, we have received requests that the Buyer's Guide be provided in a digital format so that it can be viewed on-line on their computers and

mobile devices. We are therefore pleased to introduce and debut our on-line digital version of the NAEDA's 2013 Equipment Dealers Buyer's Guide.

All of the editorial information, company and product listings appear in the new digital version just as in the printed edition. However, the digital versions is more interactive with live links to company contacts and websites with the potential for embedded video displays, slide shows, and blow-in cards from companies and advertisers.

We suggest you bookmark this link, digital.naeda.com so you can access the digital edition of the 2013 Equipment Dealer Buyer's Guide throughout the year, and share it with your customers, clients, and colleagues.

Whether you prefer print or pixels, our goal is to provide you with the industry's best reference manual for companies, products and services catering the equipment dealer.

Elavon: What makes credit cards work?

Interchange - the fee paid to banks or debit networks - and how to minimize their impact

Interchange is at the heart of what makes credit cards possible. It refers to the way transactions are exchanged between merchant acquirers or merchant processors and card issuers or debit networks. Specifically, it is the fee that merchants pay the issuing banks or debit network to accept credit cards. These fees are passed through the merchant acquirer to the banks or networks.

Read [more](#) about:

- What is an Interchange Qualification?
- How are fees determined?
- Card Brand Fees
- Avoiding Punitive Fees
- Best Practices to Minimize Card Usage Fees

Equipment Dealers Foundation - Disaster Relief assistance

Tornado season is upon us and the unfortunate and catastrophic events of the past few days in Oklahoma, Texas and other areas serve as a reminder that disaster can strike at anytime, anywhere. History has also shown that these storms and natural disasters impact thousands of households and businesses including those of NAEDA members and their employees.

NAEDA's Equipment Dealers Foundation Disaster Relief Fund helps the employees of NAEDA dealer members who have been affected by natural disasters with emergency funds to help bridge the gap financially for the employees and families until insurance or other payments come in. When faced with a disaster, the EDF has been able to step in and help. Thanks to the generous support of dealers, manufacturers, suppliers and affiliated associations, EDF has assisted more than 130 families with more than \$200,000 in direct disaster grants to employees of NAEDA members.

We have already received applications and provided financial assistance to dealership employees as a result of the recent tornados in Texas and likely will see more requests from the recent Oklahoma disasters. Please consider a generous donation to the NAEDA Equipment Dealers Foundation. Donations can be made on-line on the EDF website at: <https://www.naeda.com/SupportEDF/EDFFoundationOnlinePayment.aspx>

Equipment Dealers Foundation provides Scholarship assistance

The NAEDA Equipment Dealers Foundation (EDF) Scholarship program assists in the training, retraining, or advancement of employees or potential employees of equipment dealers in order to create a larger pool of qualified, committed, long-term employees for those dealerships. Assistance comes in the form of grants by EDF, NAEDA affiliates and dealership scholarships for individual classes, vocational training curriculums, associate degrees, bachelor degrees and post-graduate degrees.

This year EDF provided funding assistance to 82 scholarship recipients for students sponsored by dealer members of four NAEDA regional affiliates representing six states. Student applicants who were first sponsored by equipment dealers applied to their regional equipment dealer association. Those awarded scholarships by the affiliate associations were then forwarded to EDF for application of additional funds.

The NAEDA Equipment Dealers Foundation is pleased to provide this assistance to the future employees in our industry.

Rosy outlook for Canada's farm sector reflects farmland values

A Statistics Canada report released this week confirms the overall health of the agricultural industry across Canada. The balance sheet of the Canadian agricultural sector, was no surprise, said Mark Wales, President of the Ontario Federation of Agriculture.

[Read more...](#)

Source: Better Farming

House of Commons adjourns for the summer after mud-slinging spring session

Prime Minister Stephen Harper has returned from his European trip but he won't have to endure another grilling in the House of Commons for a while. All parties agreed late Tuesday night to end the most bitter spring sitting of Parliament since Harper's Conservatives came to power more than seven years ago.

[Read more...](#)

Source: National Post

Stephen Harper plans a fresh start with shakeup of cabinet and PMO

Stephen Harper will use a speech to Conservative Party faithful in the weeks or months ahead to try to rebuild relations with rank-and-file Tories disenchanted by the Senate expenses scandal. His June 27 address to the Conservative convention in Calgary — postponed after flooding overwhelmed the city's downtown core — was to be the first step in an effort to regain control of the federal political agenda, an effort that will include changes in the Prime Minister's Office and a cabinet shuffle in mid-summer.

[Read more...](#)

Source: The Globe & Mail

Stephen Harper, Barack Obama meet on sidelines of G8 summit in Northern Ireland

Prime Minister Stephen Harper was able to bend the ear of U.S. President Barack Obama on the final day of the G8 summit in Northern Ireland. The two leaders went for a 10-12-minute walk down a golf cart path at the Lough Erne golf resort hosting the leaders from the Group of Eight countries, according to the Prime Minister's Office.

[Read more...](#)

Source: National Post

Canada-EU trade deal threatened by infighting

Canadian trade negotiators are running up against bureaucratic infighting among European Union officials, who are backing away from earlier commitments in talks for a Canada-EU trade deal.

[Read more...](#)

Source: The Globe & Mail

Growing Forward 2 paves way for new industry-led agricultural risk management initiatives

Parliamentary Secretary for Agriculture, Pierre Lemieux, on behalf of Agriculture Minister Gerry Ritz, today announced up to \$15 million for the launch of a new Growing Forward 2 program to encourage the development and adoption of new private sector or producer-funded agricultural risk management tools.

[Read more...](#)

Source: Marketwire

Agriculture More Than Ever marks first anniversary

Producers are not only feeling more positive about Canadian agriculture. They are also more likely to share

these positive feelings with others, according to an FCC national survey conducted in March 2013. This is good news because agriculture needs the voice of producers and everyone involved in it to promote the economic sector as a modern, dynamic industry to attract the people, skills and investment needed for the industry to reach its full potential. This was the catalyst behind Agriculture More Than Ever's introduction.

[Read more...](#)

Source: Marketwire

Canada promotes stronger agricultural trade with China

Canada continues to actively pursue stronger agricultural trade ties with China and Hong Kong with recent meetings among the participants deemed as successful. Canada's Agriculture Minister Gerry Ritz, who led Canada's trade mission to China, said government and industry officials in China continue to actively seek out the safety and high quality of Canada's agricultural products. He noted that China is a rapidly growing market for Canadian farmers with export sales of agricultural products to China worth C\$5 billion in 2012.

[Read more...](#)

Source: Wall Street Journal

Tip of the Month



[June Tip of the Month: Keeping Valuable Facebook Friends](#)

Despite the fact that you're trying to increase your online presence and reach through Facebook, it is still important to be selective when it comes to your dealership Facebook fans. Your fans should:

1. "Like" your dealership for transparent and relevant reasons – While games, giveaways, and contest may be alluring to the average socialite, it does nothing for brand engagement if all of your fans don't care about you and are simply waiting for the next silver platter to show up.
2. Nearly 100% of your fans should be local – No other invention in history has been able to connect local communities better than social media. Yet, local brands continue to target (usually unknowingly) users outside their local market. It does your dealership no good if the bulk of your followers live in India or Egypt.

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