

Farmtrac bid made; online warranty database agreements finalized



This "Action Alert" icon will be displayed whenever action steps exist to help your voice be heard on topical issues. Dealers can expect to see alerts in all forms of NAEDA communications.

Manufacturer Relations		
ISSUE	ACTION SUMMARY	NAEDA'S POSITION
Farmtrac	LS Mtron has submitted a bid to purchase certain Farmtrac assets. The latter, based in Tarboro, N.C., went into receivership in January 2008. At publication time, the LS bid was pending before the court.	LS Mtron, which is based in Seoul, South Korea, sought the assistance of NAEDA while gathering information as part of the company's due diligence. If accepted, the purchase would provide a solution to dealers who have gone nearly a year without manufacturer support for Farmtrac parts and warranty.
Warranty Database	The launch of the Warranty Claim Processing System is a step closer to reality. The legal agreements that define how the system will be operated have been completed. NAEDA, FEMA and FEWA are partners in the project, which was developed to streamline and standardize procedures for submitting warranty claims to distributors and shortline manufacturers.	The system offers a single-source platform that all parties will be able to use for posting warranty terms, improving accuracy of claims and expediting warranty payments. The launch date is expected shortly after the first of the year.
Power Pro Program	NAEDA's OPE Dealer Council launched its Power Pro program during last month's GIE+EXPO in Louisville, Ky. The program offers accreditation to outdoor power equipment dealers who apply industry standards in the operation of their dealerships. The Ariens Company, based in Wisconsin, is one of the program's key supporters (see <i>Power Pro</i> on page 28).	NAEDA appreciates the work of its OPE Dealer Council and affiliated associations in developing the program. The program offers North America's dealers a brand to designate their dealerships as professional businesses that are committed to sales and service.

Government Relations		
ISSUE	ACTION SUMMARY	NAEDA'S POSITION
Employee Free Choice Act of 2007 (H.R. 800)	H.R. 800, commonly called Card Check, changes the way unions can be organized in the U.S. NAEDA is concerned the bill could affect the ability of a worker to make an informed, confidential decision about a critical matter involving his/her workplace.	NAEDA opposes legislation that would eliminate secret ballot union elections.
No-Match Letter	The Department of Homeland Security (DHS) issued final rules in October reaffirming its regulations that provide employers a safe harbor from liability under the Immigration and Nationality Act if certain procedures are followed after receiving a "no-match letter" from the Social Security Administration or a "notice of suspect document" from DHS.	NAEDA is reviewing the final rule and will issue guidance documents to dealers in the near future about compliance requirements.
Greenhouse Gases	The EPA issued an Advance Notice of Proposed Rulemaking concerning the control of greenhouse gases in the U.S. The rulemaking solicits public comments about how to respond to a U.S. Supreme Court ruling that suggests the Clean Air Act authorizes regulation of greenhouse gases – or GHGs – because they meet the definition of air pollutants under the act.	NAEDA is reviewing the regulations and documents to see what effect the new regulations may have on dealers.
ESA Extension Sought	NAEDA and other industry associations are going to continue to lobby congressional leaders for a one-year extension of the 50 percent bonus depreciation and increased expensing levels in Sec. 179. Both are included in the Economic Stimulus Act (ESA) of 2008, and both are set to expire on Dec. 31, 2008.	NAEDA and other industry associations are working to get the extension included in the next economic stimulus package that Congress is expected to discuss this month.

A companion reference is regularly updated in the Dealer Advocacy Center at www.naeda.com.

NAEDA notes

FACTA – Stay focused

The Federal Trade Commission (FTC) is granting a six-month extension in the enforcement of the Red Flags Rules within the Fair and Accurate Credit Transactions Act (FACTA). Under the rules, which were scheduled to go into effect Nov. 1, 2008, creditors will be required to have an identity theft prevention plan in place to identify, detect and respond to patterns, practices or specific activities (known as red flags) that could indicate identity theft.

According to the FTC, a creditor is defined as follows:

"A creditor is any entity that regularly extends, renews, or continues credit; any entity that regularly arranges for the extension, renewal, or continuation of credit; or any assignee of an original creditor who is involved in the decision to extend, renew, or continue credit. Accepting credit cards as a form of payment does not in and of itself make an entity a creditor. Creditors include finance companies, automobile dealers, mortgage brokers, utility companies, and telecommunications companies. Where non-profit and government entities defer payment for goods or services, they, too, are to be considered creditors. Most creditors, except for those regulated by the federal bank regulatory agencies and the NCUA, come under the jurisdiction of the FTC."

Be prepared

NAEDA encourages dealers to stay focused in spite of the deadline extension to May 1, 2009. Stay on the gas and be prepared. Even though enforcement of the Red Flags Rules has been delayed, an identity theft from your dealership could make you liable under FACTA.

FACTA guidelines and a sample theft prevention plan have been developed by NAEDA and are available under Headlines at www.naeda.com.