

Farmtrac issues persist, FACTA deadline looms



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	NAEDA remains <i>fully engaged</i> in working on a solution to the issues related to Farmtrac. As noted in last month's <i>Advocacy Update</i> , NAEDA was in London, England, to participate in a meeting of the parties involved in this situation. Those who attended the meeting seemed optimistic that remedies to nagging questions were on track. Unfortunately, follow-up action and a consistent flow of communication since that meeting has been lacking.	NAEDA remains involved in the Farmtrac situation daily and is guardedly optimistic that a long-term solution can be reached to 1) avoid liquidation of inventory currently held by the court-appointed receiver and 2) give Farmtrac dealers confidence that a reliable supply of parts and warranty support will be available.
New Holland Signage Program	A signage program introduced by New Holland raised dealer concerns and resulted in action by NAEDA, its affiliated associations and members of the New Holland Dealer Council. The primary issues were the cost of the program, which was higher than when the program was initially announced, and the lack of flexibility.	NAEDA-affiliated associations and members of the New Holland Dealer Council worked cooperatively with New Holland management to bring program costs in line with original estimates and reach agreement on sign dimensions and style. NAEDA's Industry Relations Task Force will follow-up this fall when it meets with new members of New Holland's top management team.
Online Warranty System	Although some minor setbacks have slowed the start-up of the system, the project is formally set for launch. The agreement with NAEDA, FEMA and FEWA is under final legal review. The agreement includes a pro forma budget and procedures that outline duties for the day-to-day operation of the system. Also included in the agreement are confidentiality provisions that define how warranty claims data and registrations will be handled.	Putting this system together has been quite an undertaking but the reward for dealers will be the launch of a system that streamlines the warranty process and provides improved accuracy and reimbursement of claims.
Feterl Manufacturing	Two NAEDA-affiliated associations have retained legal counsel to sort through issues involving a preseason order program offered to dealers by Feterl. The program promised favorable discounts, price guarantees, and delivery priority in exchange for prepayment. Dealers who prepaid are still awaiting equipment, while some who did not prepay have received delivery.	The association appreciates the efforts of the Iowa-Nebraska Equipment Dealers Association and the Minnesota-South Dakota Equipment Dealers Association to help dealers recover their investments. NAEDA and its affiliates have begun discussions on ways to protect dealer investments when similar programs are offered.

Government Relations		
ISSUE	ACTION SUMMARY	NAEDA'S POSITION
Presidential Preview	NAEDA will offer a policy comparison of presidential nominees Sen. Barack Obama (D) and Sen. John McCain (R). The comparison will examine each candidate's position on health care, energy, trade, immigration reform and taxes.	The feature will appear in the October issue of <i>NAEDA Equipment Dealer</i> .
Countdown to FACTA	U.S. businesses have until November 1, 2008, to comply with federal guidelines to protect nonpublic information and customer credit information from identity theft.	The NAEDA summary of the Fair and Accurate Credit Transactions Act (FACTA) of 2003 is must reading for U.S. dealers and is available at www.naeda.com/files/FACTA.pdf .
Food vs. Fuel Debate	The food vs. fuel debate gets a thorough review in a report published by the 25 x '25 Alliance. The alliance compares eight of the most prominent studies about the food vs. fuel issue. The alliance's review indicates there are complex and multiple factors that need to be considered as policy options are debated. To review a copy of the summary, visit www.25x25.org .	NAEDA is a member of the 25 x '25 Alliance and supports the organization's energy goals.

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

NAEDA notes

Deere leaving Canada

Deere & Company will discontinue its production of farm equipment and Gator utility vehicles in Canada. Deere said approximately 800 jobs would be lost when the company shuts its plant in Welland, Ontario. Deere, which began manufacturing in Canada nearly 100 years ago, said in a release that production would be moved to existing facilities in Wisconsin and Mexico.

Americans with Disabilities Act

NAEDA submitted comments to the Department of Justice about new federal proposals to amend Title III of the Americans with Disabilities Act (ADA). The association expressed its concerns about the high level of confusion over the term "readily achievable barrier removal," which refers to areas that under the new regulations would be targeted for modification to increase handicapped access.

In its letter, NAEDA said proposed modifications related to flooring, service counter height and length, display areas and plumbing "would impose a considerable economic burden" on dealers. NAEDA is requesting that safe harbor provisions be applied to dealerships that are compliant with ADA guidelines established in 1991. The association also is requesting a safe harbor on using gross revenue to determine how much a business would be expected to spend to meet the new compliance standards. NAEDA believes an alternate formula, such as using net revenue, should be incorporated into the final regulations.

When included in statutes or regulations, a safe harbor reduces liability when a party demonstrates good faith and performs actions to comply with the law.

EPA mails air quality notices

The EPA sent notices to states and tribes outlining what areas are under consideration for designations as attainment or non-attainment for the 24-hour fine particle standards. Twenty-five states received confirmation notices for meeting the fine particle standards or PM 2.5.

The agency will make formal designations of attainment and non-attainment areas in December 2008 after states and tribes comment on the proposals.