

News FROM IIADA

September 2020

Administrative Office.

P.O. Box 356 West Branch, IA 52358

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Auction News

Dealer's Choice AA www.dcaa.com

Plaza Auto Auction www.plazaaa.com

<u>Tri-State AA – Cuba City</u> <u>www.tsaaonline.com</u>

Manheim Omaha AA www.manheim.com

Adesa Des Moines www.adesa.com

Manheim-Minneapolis-MAA www.manheim.com

Manheim Northstar www.manheim.com

Des Moines Auto Auction www.dsmaa.com

SUPPORT FOR THE MIDWEST AUTO AUCTIONS IS GREATLY APPRECIATED.

IIADA ADMINISTRATIVE OFFICE

Contact information: Todd Thein, Executive Director Phone: Office (319) 643-5403, Cell (319) 521-7333.

E-Mail: iiada2@netins.net

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MISSION STATEMENT

The mission of the National Independent Automobile Dealers Association, the only national not-for-profit organization representing the independent motor vehicle industry, is to promote, educate and advance the independent motor vehicle dealer by:

Accumulating, processing and disseminating information relative to the motor vehicle industry;

Developing, compiling and providing to the consumer, information which will promote a better understanding of the independent motor vehicle dealers' place in the economy;

Providing relevant information to regulatory and lawmaking bodies so that they may have a better understanding of the possible effects of proposed laws, rules and regulations on the consumer and the motor vehicle industry;

Assisting in the promotion and organization of local, state or regional independent motor vehicle dealer associations; and

Anticipating, recognizing and responding to current and future issues and needs of the independent motor vehicle industry and the consumer.

MEMBERSHIP DUES NOW PAYABLE BY CREDIT/DEBIT CARD:

You can pay IIADA Membership Dues on-line at www.iowaiada.com. Click the "MEMBERSHIP DUES" tab. This will direct you to the secured site to pay your membership dues. Just another option for the IIADA members.



Auction News

<u>Adesa – Sioux Falls</u>

www.adesa.com.

Manheim Kansas City

www.manheim.com

Greater Rockford AA

www.graa.net

Quad City Auto Auction

www.qcaa.com

Lincoln Auto Auction

www.lincolnautoauction.com

IIADA EVENTS:

2020 Annual Meeting

TBA - 2020

NIADA EVENTS:

June 15-18, 2020

NIADA Convention

Las Vegas – MGM Grand

KEEP US INFORMED

DON'T FORGET TO LET
IIADA KNOW IF YOUR
E-MAIL, ADDRESS OR
PHONE NUMBER CHANGES

DEALER EDUCATION CLASSES FOR October 2020

With the state opening up to 50% capacity the Community Colleges that provide venues for the 5 hour dealer education classes have gotten creative. Several colleges will offer virtual classes while others will offer traditional classes with a limited number of seats available. Where possible, select Community Colleges will offer a combination of live and virtual. Check with your Community College for local options.

Auto Dealer: 5 Hour Renewal Courses October 2020 Classes

CHECK ALL DEALER EDUCATION TIMES AND LOCATIONS AT

www.iowaiada.com (Dealer Education Tab)

October 1, 2020 - Thursday Northeast Iowa Community College

Calmar 101 12:00PM - 5:00PM

October 2, 2020 - Friday Northeast Iowa Community College

Cresco 102 8:00AM - 1:00PM

October 15, 2020 - Thursday Iowa Lakes Community College

Emmetsburg 102 12:00PM - 5:00PM

October 15, 2020 - Thursday Southeastern Community College

Burlington Live and **ZOOM** 102 12:00PM - 5:00PM

October 16, 2020 - Friday Iowa Lakes Community College

Emmetsburg 101 8:00AM - 1:00PM

October 16, 2020 - Friday Southeastern Community College

Burlington Live and **ZOOM** 101 8:00AM - 1:00PM

October 21, 2020 - Wednesday Hawkeye Community College

ZOOM 101 8:00AM - 1:00PM

October 23, 2020 - Friday Northwest Iowa Community College

Sheldon 101 12:00PM - 5:00PM

October 28, 2020 - Wednesday Kirkwood Community College

ZOOM 101 8:00AM - 1:00PM

October 29, 2020 - Thursday Indian Hills Community College

Ottumwa Live and **ZOOM** 101 12:00PM - 5:00PM

October 30, 2020 - Friday Indian Hills Community College

Ottumwa Live and **ZOOM** 102 8:00AM - 1:00PM





CIOWA DOT GETTING YOU THERE >>>>

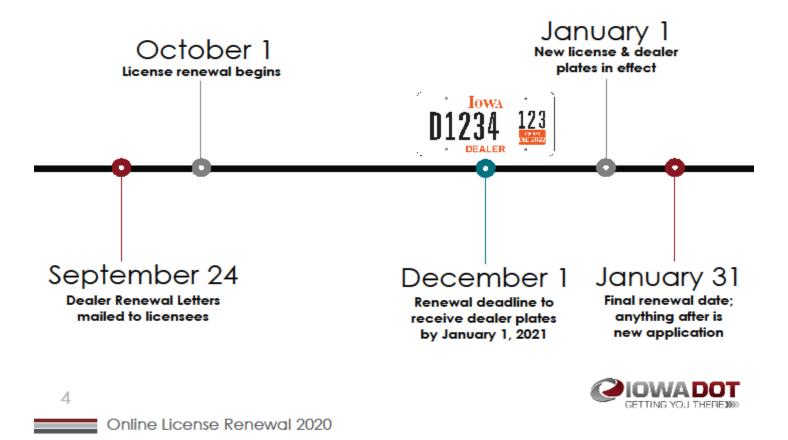
Online License Renewal 2020

We have upgraded the functionality for online license renewal. See how simple it is to renew and pay for your license online.

Among other functions, the new online renewal process allows you to:

- Change number of dealer license plates
- Update select business & contact information
- Pay online
- 4 Save & print license





Online Renewal Access

- Easy, familiar log-in from Dealer Renewal Letter
 - Receive web address and license-specific PIN in the mail

For this renewal, use the below signon information to log into the web site. (Note: Compatible browsers are Microsoft Edge, Chrome, Firefox. For IE see Appendix A)

Web address: https://arts.iowadot.gov/dealerrenewallogin.aspx

Dealer Number: D ###

Pin: #######

^{*} Online renewal works well on Chrome, Microsoft Edge and Firefox. There is a workaround for those needing to use Internet Explorer (IE).



Update Select Business Details

- Have you wanted to change business hours or required landline?
- Help deter internet fraud by informing the DOT of your official web site

Business Hours						
Time must be entered in 12 hour IIII:MM AM/PM format						
Monday:	10:00 AM	0	08:00 PM ③			
Tuesday:	10:00 AM	O	08:00 PM ()			
Wednessday:	10:00 AM	0	08:00 PM ()			
Thursday:	10:00 AM	0	08:00 PM ()			
Friday:	10:00 AM	0	09:00 PM (0)			
Saturday:	10:00 AM	O	09:00 PM ()			

Phone Number:	123-456-7890	
Official Website:	www.bestever.com	

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Online License Renewal 2020



Ordering Dealer Plates

- Add/subtract dealer plates by type for each license
- Renewal applications should be submitted by December 1, in order to receive your plates by January 1; temp plates may be issued after Dec 1.

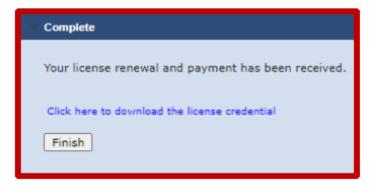
Fee Name	Quantity	Unit Fee	Total Fee
Motor Vehicle Dealer License Fee - 2 Year-Renewal Motor Vehicle Dealer Registration Fee - 2 Year-Renewal			= \$ 70.00 = \$ 70.00
Dealer Plate Large (car/truck)	8	×\$ 40.00	= \$ 320.00
Dealer Plate Small (motorcycle/trailer)	4	×\$ 40.00	= \$ 160.00
Dealer Haul & Tow Large (car/truck)	1	×\$ 750.00	= \$ 750.00
		TOTAL	= \$ 1370.00



Completed in Minutes

- Conveniently pay the renewal fees online at the end of the application
- Save your own license certificate
- Print the license as soon as you're done!
 - No need to compete with bulk mail from the election, holidays and COVID-19.





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Online License Renewal 2020

Other Notes

- Renewal applicants can still fill out the paper application attached to the Dealer Renewal Letter
- Important:
 - Save license certificate as file upon completion of renewal application
 - license will have to be requested through Vehicle Services once renewal application is closed (web browser)





Approved Benefit Providers

Loose Lips Sink Ships — and Dealerships

www.iowaiada.com

By Thomas B. Hudson*

Access Systems

Advanced Business Products

AutoJini.com

Auto- Owners Insurance

Associations Marketing Group, Inc.

Automotive Finance Corporation - AFC.

Citizens Community Credit Union

CU Direct (CUDL)

The Cyclone Agency.

Erikson Solutions Services, LLC

Frazer-Dealer Management Software.

First Interstate Bank

Follow-Up Plus

Globe Acceptance, Inc.

Greater Iowa Credit Union

Innovative Dealer Services

Preferred Warranties, Inc.

ProSource Finance.com

Veridian Credit Union

Reynolds & Reynolds Inc.

S & C Automotive, Inc.

U Drive Acceptance Corp.

Green State Credit Union

Sometimes dealership sales folks are dishonest crooks. Rarely, we hope.

Other times, they have not been trained properly to play their parts in the reasonably complicated sales and financing transactions that are common at dealerships. In either case, salespeople — and F&I people too, for that matter — can create mischief when they make statements to car buyers that they shouldn't make.

Here's an example of the sort of trouble that can result from a few ill-chosen words.

Yahaira Munoz bought a used vehicle from JLO Automotive, Inc. Munoz alleged that, during the purchase transaction, the dealership's salesperson told her that GAP insurance was mandatory as part of the dealership's "low income program." If you know the requirements of the federal Truth in Lending Act and Regulation Z, you'll know that when GAP is required, the cost must be included in the finance charge and used to compute the APR in the credit transaction.

Munoz claimed that although she was not interested in buying GAP insurance, she bought it because the salesperson told her it was mandatory. The salesperson also allegedly required Munoz to provide her checking account information so the finance company could make automatic withdrawals from her bank account.

Munoz later sued JLO for violating TILA, the Electronic Fund Transfer Act, the Fair Credit Reporting Act, and the Connecticut Unfair Trade Practices Act. Munoz moved for a default judgment.

Wilson Distributor Service

The federal trial court found that the retail installment contract Munoz signed contained language stating that GAP protection was "not required to obtain credit" and that GAP protection would not be provided unless the consumer signed for it, which Munoz did.

The court found that this language fulfilled TILA's requirement of a clear and conspicuous disclosure. The RIC also satisfied the three requirements for excluding GAP insurance from the finance charge: it disclosed that GAP insurance was not required, it disclosed the fee for the initial term of coverage, and Munoz signed the affirmative request for coverage right beneath the disclosures.

The court rejected Munoz's argument that the salesperson's oral statement that GAP insurance was required to obtain credit negated the written disclosure and thus created TILA liability. Therefore, because the GAP insurance charge satisfied the criteria to be excluded from the finance charge, and because Munoz's TILA claim was premised on the notion that the GAP charge was a finance charge, the court denied her motion for a default judgment on her TILA claim.

However, the court granted Munoz's motion for a default judgment with respect to her EFTA claim alleging that JLO required her to allow the finance company to debit her checking account automatically as a condition of financing.

Finally, the court declined to exercise supplemental jurisdiction over the CUTPA claim.

You'll need to read this opinion carefully. The dealership did not get off scot-free. It escaped liability for a federal TILA claim but not for the federal EFTA claim. Note that the federal court declined to adjudicate the state unfair trade practices act claim, which could be brought in state court or serve as the basis for a complaint to the attorney general or to dealership regulators.

That should tell you that you need to make sure that customer-facing dealership representatives know what they can and cannot say, and what they can and cannot require, when dealing with car buyers. If you aren't training your folks on these details — "coachin' 'em up," as Steve Spurrier used to say — you're looking for trouble.

Munoz v. JLO Automotive, Inc., 2020 U.S. Dist. LEXIS 136552 (D. Conn. July 31, 2020).

*Thomas B. Hudson was a founding partner of Hudson Cook, LLP, and is now of counsel in the firm's Maryland office and the Senior Editor of Spot Delivery. Tom can be reached at 410.865.5411 or by email at thudson@hudco.com.

WE'RE GOING Virtual

THE PREMIER USED CAR INDUSTRY VIRTUAL EVENT





2020 NIADA | NABD VIRTUAL CONVENTION & EXPO SERIES

SEPTEMBER 22 | SEPTEMBER 29 | OCTOBER 6



Join us for the most comprehensive event in the used vehicle industry and a true one-stop shop for the best in dealer education, networking, and products and services. The NIADA | NABD Virtual Convention & Expo Series will also provide an Expo Hall where you can find the vendors and solutions you need to run your business more efficiently and profitably.

JOIN US ONLINE

EDUCATION SESSIONS to serve the needs of all independent dealers. Whether you are in Retail, BHPH, LHPH, or even Wholesale, we have training just for you. We are offering three education tracks:

- VEHICLE ACQUISITION &
 WHOLESALE MARKET CHANGES
- ONLINE RETAILING & CONTACTLESS TRANSACTIONS
- CASH, CREDIT & FINANCIAL MARKETS

VIRTUAL EXPO HALL will feature the industry's best vendors, offering the latest state-of-the-art products and services to help keep you on the forefront of our competitive industry.

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Vanity URL: iowa.niadaconvention.com







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Associations Marketing Group, Inc.

Expertise in Health Benefits

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Access Systems

Advanced Business Products

AutoJini.com

Auto-Owners Insurance

Associations Marketing Group, Inc.

Automotive Finance Corporation - AFC.

Citizens Community Credit Union

CU Direct (CUDL)

The Cyclone Agency.

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Reynolds & Reynolds Inc.

S & C Automotive, Inc.

U Drive Acceptance Corp.

Green State Credit Union

Wilson Distributor Service

































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Erikson Solutions Services, LLC

UdriveAC.com

S & C Automotive Your Best Option!!!!!