

FEBRUARY 2024

NADA SHOW

M A G A Z I N E

NADA Show Lights Up Vegas!

INSIDE

Key Issues for
Dealers in 2024

Women Driving
Auto Retail

Latest on
EV Policy

Sphere—dazzling
venue of NADA Show
Welcome Reception

NATIONAL AUTOMOBILE DEALERS ASSOCIATION

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FEBRUARY 2024

NADA Show Magazine

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and find out how.



Welcome

FEBRUARY 2024

NADA Show Magazine



NADA: THE FUTURE IS NOW

It doesn't get more futuristic than this year's NADA Show. First, blast off with an out-of-this-world Welcome Reception at Las Vegas' new mind-blowing Sphere.

Attendees will travel the globe and venture into the cosmos, thanks to the most immersive entertainment possible: real scents wafting in the air, wind blowing through your hair, vibrating seats and 167,000 hidden speakers.

Oh, and there are some 160,000 square feet of LED screens (about the size of three football fields) that wrap over, behind and around you. Those screens can display an eye-popping 56 million colors.

So yes, prepare to be wowed.

Ditto the next day at the Las Vegas Convention Center when NADA Show officially opens. More than 100 education sessions focus on hot-button topics—everything from the latest EV challenges and opportunities to the practical uses of AI in the dealership. Sprawled across the vast North and West halls of the Expo are 500-plus exhibitors showcasing their latest dealership products and services. And this year's high-profile keynoters are Jon Taffer of *Bar Rescue*, racing legend Danica Patrick and Pro Football Hall of Famer Kurt Warner.

As always, NADA Show is where dealers make—and renew—valuable personal connections that often last a lifetime. (This includes the popular Women Driving Auto Retail event, now expanded to a full day.) Expect this year in Las Vegas to be no exception, thanks to the enthusiasm of attendees, the numerous networking opportunities and NADA's constant commitment to always look ahead—and anticipate the future—for its members.

"Beam me up, Scotty"? Well, not quite—though it may seem that way at the Sphere. Instead, NADA Show 2024 is really all about the best ways for franchised dealerships to "live long and prosper."

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2023

Year in Review

NADA annual highlights.

BY JOE PHILLIPS

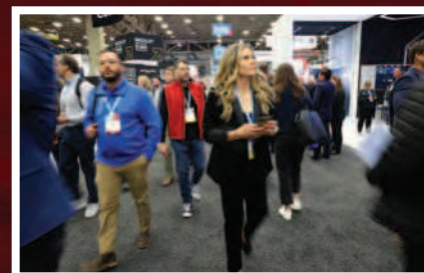
JANUARY

- NADA analysis of 2022 auto sales.
- Throughout 2023, NADA presents major market-trend updates in monthly *NADA Market Beat*, quarterly *ATD Truck Beat* and other economic reports.
- Monthly NADA articles on dealers whose charitable giving, fundraisers and other events help their communities.
- Monthly NADA blogposts championing diversity, equity and inclusion (DEI) in dealerships, include profiles of staff who are African American, Asian American, Pacific Islander, disabled, Latino, LGBTQ+, women and veterans.
- NADA Show in Dallas opens, with more than 22,000 attendees, over 500 exhibitors and 100-plus workshops. Keynote speakers: soon-to-be presidential candidate Gov. Nikki Haley (R-S.C.) and NFL legend Deion Sanders.
- Show Welcome Reception at Gilley's Dallas, with performance by Grammy Award winner Brad Paisley.
- Washington, D.C.-area dealer Geoff Pohanka becomes NADA chairman.
- NADA Women Driving Auto Retail (WDAR) annual event on attracting women to auto retail; Leslie Jefferson of Pohanka of Salisbury (Md.) and Alicia Rivera of Trophy Nissan in Dallas—first-ever tied winners in sixth-annual WDAR video contest.

- Gary Rome of Gary Rome Hyundai and Gary Rome Kia, Holyoke, Mass., named 2023 TIME Dealer of the Year.
- NADA and National Urban League announce 18-month pilot program to recruit and train more women and minorities in auto retail.
- BacklotCars auction of electric Harley Davidson motorcycle benefits NADA Foundation program for Canine Companions.
- NADA Century Award—dealers in transportation business 100 or more years—now has 66 winners.
- NADA and ATD conduct *Dealership Workforce* studies.
- NADA webinars this month: Customer journey; lower credit card fees; FTC Safeguards compliance.

FEBRUARY

- NADA conducts congressional briefings on negative impact on consumers of FTC's proposed "Vehicle Shopping Rule."
- NADA-backed bipartisan House and Senate LIFO relief bills introduced.
- NADA-backed bipartisan House and Senate catalytic converter anti-theft bills introduced.
- NADA reminder: OSHA injury/illness electronic reporting deadline in early March.



Setting the stage: NADA Show in January in Dallas introduces new NADA Chairman Geoffrey Pohanka, who takes center stage. Grammy Award-winning singer Brad Paisley (top right) performs at the Welcome Reception the night before Show officially opens.

- NADA advocates against “Right to Repair” bill.
- ATD joins letter to Congress urging repeal of 12% federal excise tax (FET) on heavy-duty trucks.
- NADA update: IRS clarification on clean-vehicle tax credit.
- NADA update: New employment protections for pregnant and nursing mothers.
- NADA reports on dealers joining international relief effort for earthquake survivors in Turkey.
- NADA webinar: Safe/compliant dealerships for EVs.
- After Supreme Court rules against employer on overtime exemption, NADA reminds dealers to review wage/hour compliance.
- NADA update: CFPB final rule on small-business lending data collection.
- NADA conducts semiannual Dealer Attitude Survey and follow-up discussions with automakers.
- NADA continues conversations with OEMs around NADA’s guiding principles for automotive retailing.
- ATD meets with EPA on greenhouse gas (GHG) Phase 3 proposal.
- ATD helps launch new Clean Freight Coalition.

MARCH

- NADA update: Eligibility for clean-vehicle tax credit.
- NADA alert: IRS warning on improperly claiming employee retention tax credit.
- NADA update: First round of funding for EV charging grant program announced.
- NADA update: Important IRS changes to new-vehicle EV tax credits.
- Bipartisan bills to repeal the 12% FET on heavy-duty trucks introduced in House and Senate.
- NADA Foundation supports Ohio dealership employees after major train derailment.
- NADA webinars: Reduce costs; sell smarter; credit card fees; incentives to electrify dealerships.
- ATD webinar: Legislative priorities.



NY Auto Forum: (Clockwise from top left) NADA President and CEO Mike Stanton; NADA Chairman Geoff Pohanka; Genesis Motor North America COO Claudia Marquez; Nissan Americas Chairman Jeremie Papin.

4 APRIL

- NADA update: Proposed EPA emissions mandates.
- Appellate court agrees with NADA, other groups: Congress did not intend for Military Lending Act to apply to GAP waiver.
- 12th annual NY Auto Forum, hosted by NADA, J.D. Power and New York International Auto Show, with top execs from GM, Hyundai and Nissan.
- NADA presents at Wall Street investor conference on developments and trends in auto industry.
- NADA update: New IRS rule reduces number of EVs, plug-ins eligible for tax credits.
- NADA alert: New requirements for nonmarketing calls take effect in July.
- White House recognizes NADA for its EV education efforts in dealerships.
- NADA guidelines on recording customer, employee phone calls.
- ATD submits Senate testimony: EPA heavy-duty engine rule, GHG Phase 3, FET repeal.
- ATD presents Dealer Attitude Survey.
- *NADA Data* and *ATD Data* annual economic reports released.

- NADA webinars: Accounts payable; payment plans; FTC Safeguards.
- ATD webinars: ATD Engage program; digital analytics.

5 MAY

- NADA reminder: Dealers must be in compliance with complicated FTC Safeguards Rule by June 9.
- NADA publishes *Dealerships on Track to Invest \$5.5 Billion in EV Infrastructure*.
- Center for Automotive Research issues NADA-commissioned study of proposed FTC Vehicle Shopping Rule and concludes that the rule would cost, rather than save, consumers tens of billions of dollars.
- NADA and ATD testify before EPA on challenges of aggressive proposed emissions rules.
- NADA and 20 other organizations send letter to leadership of House and Senate Commerce Committees in support of the PART Act to combat catalytic converter theft.
- ATD hosts truck dealership tour with EPA staff.
- First Chrysler Minority Dealers Association class graduates from NADA Academy.
- NADA webinars: Dealership data; FTC Safeguards Rule; analytics; cost/audit/revenue review.

April

May

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Taking action for dealers: NADA petitions the FTC on proposed Vehicle Shopping Rule and other regulations affecting dealerships.

6 JUNE

- NADA urges members of Congress to support LIFO relief bill.
- At sold-out annual ATD Truck Industry Forum and Legislative Fly-in, dealers conduct 95 Capitol Hill visits with members of Congress to advocate for FET repeal, express concerns on GHG Phase 3 and other issues.
- ATD files comments to EPA on GHG Phase 3 concerns.
- ATD letter to House leadership opposing “Right to Repair” bill.
- NADA webinars: Recession-proof dealerships; legislative priorities; boosting sales; solar power.

7 JULY

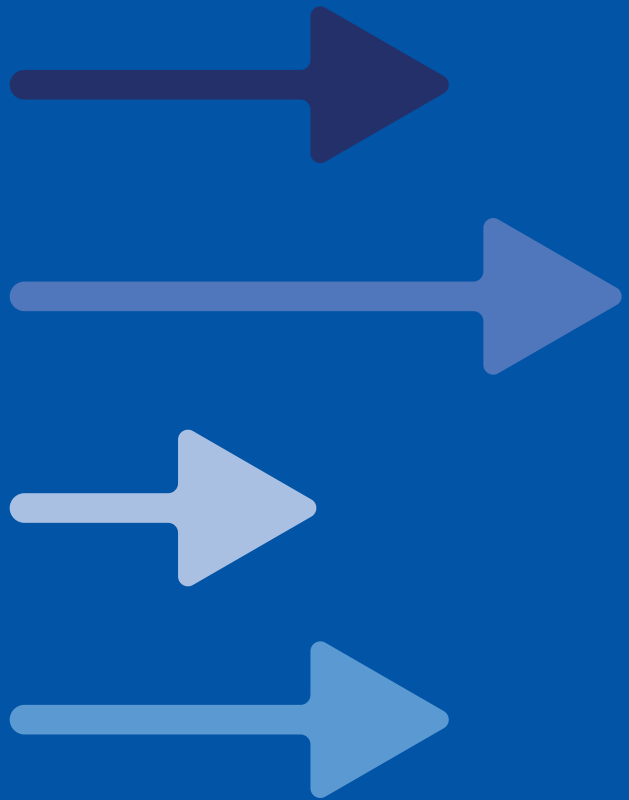
- NADA update: Proper treatment of subprime acquisition fees.
- NADA update: Revised FTC guidelines on use of endorsements, testimonials, customer reviews.
- NADA files strong comments in opposition to EPA vehicle emissions proposal.
- In letter to Energy secretary, NADA explains flaws in EPA vehicle emissions proposal.

- NADA update: New study highlights positive consumer experiences with service contracts.
- NADA sends CAR report to FTC on massive costs of proposed Vehicle Shopping Rule.
- House Appropriations Committee reports out a spending bill with an NADA-backed provision to defund FTC Vehicle Shopping Rule.
- NADA update: IRS further explains restriction on claiming employee retention tax credit.
- Reps. Doug LaMalfa (R-Calif.) and Chris Pappas (D-N.H.) send ATD-backed letter to EPA on GHG Phase 3 rule.
- ATD, eight other trucking groups send letter to Senate urging FET repeal.
- ATD, other Clean Air Freight Coalition partners meet key members of Congress on Phase 3 GHG rule and FET repeal.
- ATD meets with truck OEMs about new, complex CARB agreement.
- NADA webinars: Text/email compliance; retaining customers; lease buyouts; improving profits.
- ATD webinar: CARB-truck OEM agreement.

June

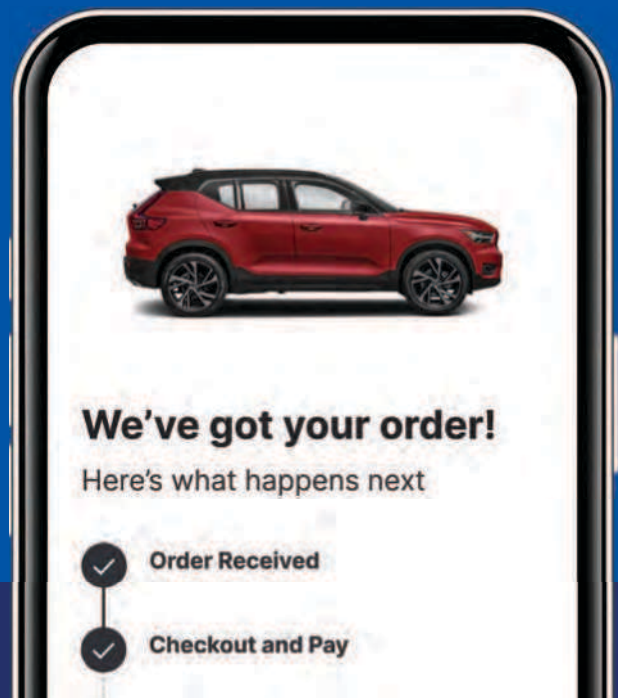
July

Work deals. Not leads.



Chasing duplicate and incomplete leads from all your sources is frustrating for everyone – you, your salespeople, and your customers. Your team is constantly merging, deleting, or rekeying information... it feels like it takes forever to get to a deal.

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Washington Conference 2023: Sen. Katie Britt (R-Ala.), who cosponsored the LIFO relief bill as well as the CARS Act, which would prohibit EPA from finalizing its EV mandate.

8 AUGUST

- NADA article: Franchised dealerships sell over 1 million EVs since 2012.
- NADA and NAMAD meet with Federal Reserve Board on forthcoming implementation of small-business data collection requirements in Dodd-Frank Act.
- ATD update: OSHA expands submission requirements for injury and illness data reported by commercial truck dealers.
- NADA webinars: Electrical safety standards; sustainability; video sales; defection data; ChatGPT.
- ATD webinar: ATD NextGen.

9 SEPTEMBER

- NADA holds annual Washington Conference, with 400 attendees and dealers conducting 200-plus Capitol Hill visits with members of Congress to discuss proposed FTC Vehicle Shopping Rule, EPA EV mandates, LIFO relief, catalytic converter theft, other issues.
- NADA update: New I-9 form on employment verification.
- Working with its dealer council and NADA, Ford addresses dealer compliance concerns about Safeguards Rule.
- NADA Foundation: 20 years with Canine Companions.

- NADA dealers urge members of Congress to sign letter by Rep. Lisa McClain (R-Mich.) opposing EPA mandates that push EVs before consumers are ready.
- NADA advocates for Choice in Automobile Retail Sales (CARS) Act to permanently prohibit EPA technology mandates like those for EVs, which House passes.
- NADA meets with White House, EPA on how proposed regs will actually slow EV adoption.
- NADA's Legal Defense Fund supports dealers defending constitutionality of state franchise laws and challenging manufacturer programs that violate those laws.
- NADA survey shows consumers not buying EVs and won't do so in time for EPA mandates to work.
- NADA conducts semiannual Dealer Attitude Survey and follow-up discussions with automakers.
- *NADA Data* midyear economic report released.
- ATD submits statement to House on "Right to Repair" bill.
- ATD meets with EPA on GHG Phase 3 concerns.
- NADA Academy students compete to donate most socks to local homeless shelters.
- NADA webinars: Training; digital retailing; credit card fees; buy/sell.

August

September

Inconsistent deal pricing online and in-store?

Inaccurate comp sets and recon pricing for used vehicles?

No more capacity in service?

Cash tied up in contracts in transit?

There are limits in every corner of the dealership.

IT'S TIME TO

GO → BEYOND

WITH REYNOLDS



Find out how at **booth 2963W.**





Too far too fast: With EV sales plateauing and inventories rising, NADA launches campaign promoting plug-in hybrids to help consumers feel more comfortable with electric vehicles.



OCTOBER

- NADA update: IRS to reimburse dealers for EV credits within 72 hours. Also, consumers—not dealers—are responsible for eligibility of clean-vehicle tax credits.
- NADA update: FTC amends Safeguards Rule to require dealers to notify FTC about data breaches.
- NADA meets with White House on unacceptability of proposed EPA GHG regs.
- NADA promotes dealership fundraising for breast cancer efforts.
- ATD update: EPA postpones GHG Phase 3 rule until March 2024.
- ATD testifies at CARB hearing on NOx amendments.
- NADA webinars: Driving profits; safety compliance; accounts payable.
- NADA-backed FTC REDO Act that would withdraw the FTC's proposed Vehicle Shopping Rule introduced in the Senate by Sens. Jerry Moran (R-Kan.) and Joe Manchin (D-W.Va.).



NOVEMBER

- NADA full overview shows EPA's proposed, overly aggressive EV mandates going “too far too fast.”
- NADA influences front-page *New York Times* article about realities confronting policymakers with EV tax credits.
- After NADA and ATD support bill preventing EPA from implementing EV mandates, House passes bill.
- With EV inventories rising, NADA campaign stresses need to promote plug-ins to help consumers get used to EVs.
- NADA update: IRS portal for clean-vehicle tax credits.
- NADA, ATD send letter to House supporting bill to pause EV and GHG Phase 3 mandates for one year.
- NADA meets with White House on unacceptability of proposed EPA GHG regs.
- ATD hosts EPA at Maryland dealership to show impact of GHG Phase 3.
- ATD Truck Dealer of the Year Kari Rihm is guest lecturer at Indiana University.
- EPA, NADA announce launch of dealership Energy Star certification.

October

November



Grassroots efforts: NADA rallied dealers and worked throughout the year with members of Congress on legislative activity critical to the auto-retail industry.

- NADA issues updated *Driven* guides on federal tax issues, dealership valuation.
- NADA article: Dealerships donated over \$500 million to charities so far this year.
- NADA webinars: F&I regs; tax issues; clean-vehicle tax credits; disaster prevention; Energy Star; FTC Safeguards.
- ATD webinar: Data security and privacy considerations.



- NADA update: IRS releases changes starting in 2024 for some clean-vehicle tax credits.
- NADA meets with White House and EPA on unacceptability of proposed EPA GHG regs.
- NADA supports letter by Rep. John James (R-Mich.) to Republican leaders opposing a new CAFE rule that, among other things, would begin to ban sale of gas-powered light-duty trucks.
- NADA expects light-vehicle sales for 2023 to total 15.4 million, up 12% from 2022.
- NADA highlights dealers across the country supporting local communities with food donations.

DECEMBER

- NADA-backed letter from Rep. Lisa McClain (R-Mich.) opposing EPA EV mandates sent to congressional leadership with 223 signatures.
- FTC issues final Vehicle Shopping Rule, which scales back some requirements as requested by NADA and ATAEs, but imposes new draconian requirements and penalties. NADA continues to support legislation to prevent the rule from taking effect.

- NADA milestone: 100,000-plus LinkedIn followers.
- NADA webinars: Hazmat reporting; credit surcharges; safety regs; reducing expenses; update on EV mandates (“too far too fast”).
- 2023 year-end: Record numbers of NADA and ATD Academy students, 20 Group members and in-dealership consulting days delivered.
- 2023 year-end: Over 16,600 members—a 14-year high and 22nd consecutive year with 90% membership penetration. ❖



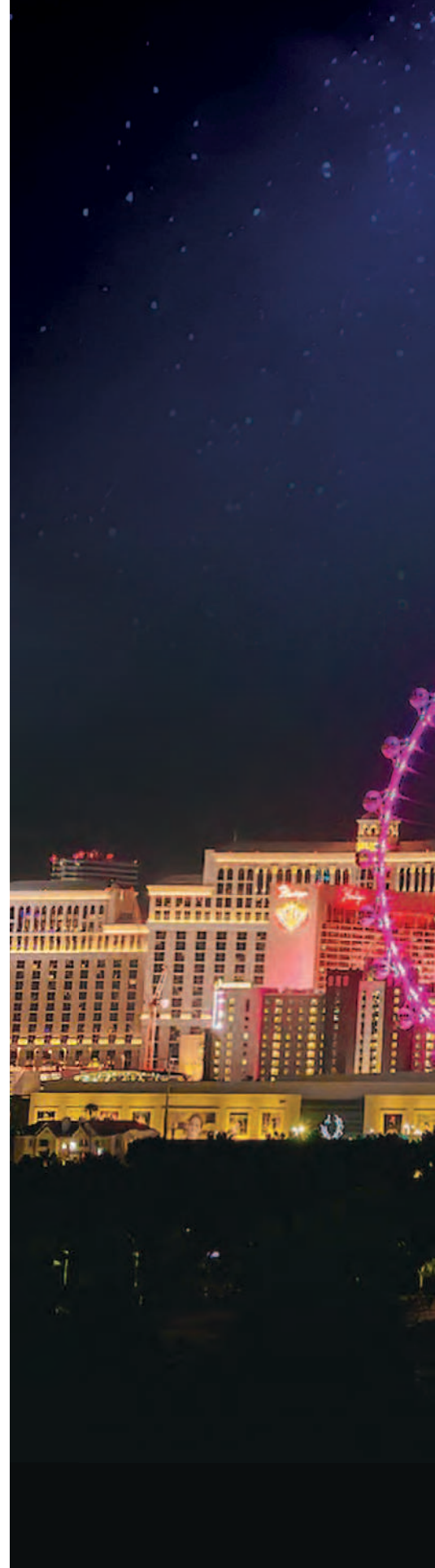
2024 NADASHOW

Driving the Future

What's new at the Auto Industry
Event of the Year.

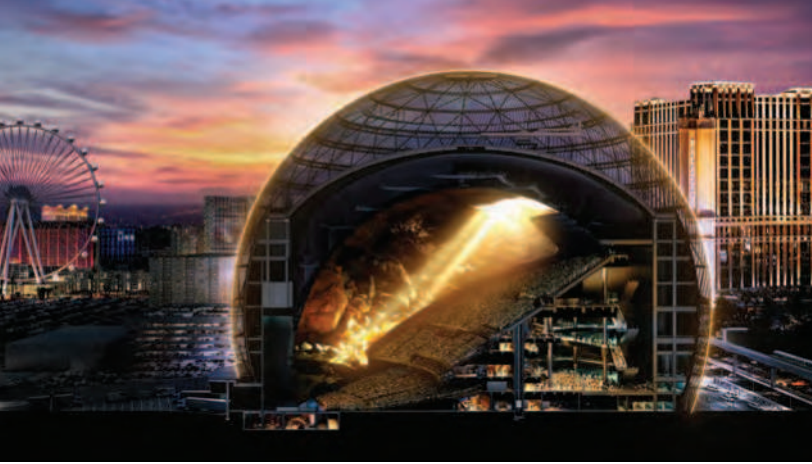
BY SHERYLL POE

Las Vegas has long been a popular site for NADA Show, drawing record numbers of attendees since NADA first rolled the dice on the Gambling Capital of the World as a venue in 1965.





Futuristic Sphere: Site of NADA Show
Welcome Reception in Vegas.



After Sphere, the convention center: 100-plus education sessions, 500-plus exhibitors and networking galore.

Now, it's a new year with new possibilities. While NADA Show is back in Las Vegas for the 19th time, today's NADA Show has a fresh new format and feel with a revamped schedule; new educational and networking opportunities; world-class speakers; the comprehensive Expo, showcasing all the latest dealership products and services; and a Welcome Reception that's guaranteed to transport attendees into the future.

NADA Show 2024 takes place Thursday, February 1, through Sunday, February 4. With over 3.2 million square feet of state-of-the-art exhibit space, the Las Vegas Convention Center (LVCC) will once again be home base.

"I'm really excited for the Show we've put together," says 2024 NADA Show Chairman Robert "Bobby" Sight III. "We have some amazing and exciting entertainment pieces to the Show that I'm very excited about. I'm proud of the effort that we've all put forward to making it the great Show that it is."

NADA WELCOME RECEPTION AT THE SPHERE

NADA Show attendees will be among the first to experience Las Vegas' hottest new venue, the Sphere. Opened in September 2023, the Sphere is a next-generation entertainment arena powered by cutting-edge technologies that ignite the senses and enable audiences to share experiences at a never-before-seen scale.

"A Night Under the Sphere" will take attendees on a jaw-dropping journey through the realms of immersive live entertainment, where





High-profile speaker lineup: (From left) Jon Taffer of the popular *Bar Rescue*, Pro Football Hall of Famer Kurt Warner and NASCAR star Danica Patrick.

you'll feel as though you're traveling the globe and venturing into the cosmos. The night begins in the Atrium, where attendees will interact with one-of-a-kind immersive technology experiences created specifically for the Sphere, including the world's largest hologram, all while enjoying delicious gourmet food and top-shelf beverages.

Dealers, OEMs, exhibitors and industry affiliates can then choose to move into the main venue bowl for a multisensory cinematic experience—Oscar-nominated director Darren Aronofsky's *Postcard from Earth*. The main bowl is equipped with a 16,000-resolution wraparound LED screen—the largest and highest-resolution LED screen in the world.

NEW THIS YEAR: FRESH FORMAT

NADA Show has been flipped on its axis: Instead of afternoon sessions on the Main Stage, attendees will start each day at the Main Stage at 9am to hear from industry experts and motivational speakers who will engage, educate and entertain. Friday's Main Stage theme is "Get Motivated," and Jon Taffer, executive producer of the television show *Bar Rescue*, will be on hand to help attendees get revved up to run their dealerships more efficiently and profitably.

On Saturday, the Main Stage will be all about "Community Action." NADA will name a new TIME Dealer of the Year,"

selected from dozens of nominees with strong philanthropic efforts and other community involvement. Racing legend Danica Patrick will be the day's keynote speaker, talking about her remarkable career on and off the track, including her charitable endeavors.

Finally on Sunday morning, Pro Football Hall of Famer Kurt Warner will take to the Main Stage to "Inspire Others" with his rags-to-riches personal story, his incredible professional successes and his ongoing dedication to his community.

Moving the general sessions to the morning means afternoons are free for attending educational sessions; visiting the NADA Expo, the auto industry's premier marketplace; and taking advantage of the all-important dealer franchise meetings.

100+
EDUCATIONAL OPPORTUNITIES

BACK BY POPULAR DEMAND

Two of the biggest draws of NADA Show are education and the Expo, and this year's new schedule provides more time for both. "Education is the center point of everything that NADA Show is about," Sight says. "The logistics and effort that went into the Show to make sure there's nothing overlapping has been phenomenal. It's going to be as streamlined as anything."

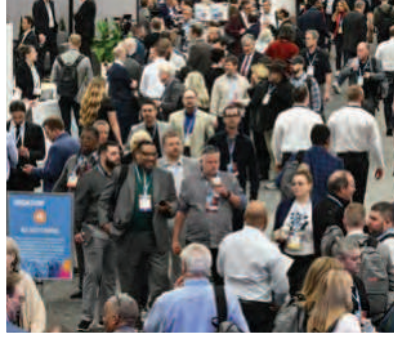
With more than 100 workshops and education sessions, various mini sessions in the Dealer Learning Lab and the

EV Solutions Center on the Expo floor, and two Super Sessions, NADA Show attendees will discover the latest trends, innovations and strategies to help improve their performance and grow their businesses.

In addition, NADA Show has rebranded its popular Distinguished Speaker Series. Now called Spotlight Series, this educational offering includes higher-profile industry speakers sharing their best leadership advice and tips, including two sessions on *20 Group Best of the Best Ideas*.

The new schedule also means attendees have more Expo time every day for extended face-to-face business connections. Expo will now open at 10am each morning, and NADA will host a “Cocktails and Connections” happy hour on Friday from 4-6pm for even more networking on the Expo floor. ❖

Prepare to be wowed: Some 22,000 attendees, exhibitors and other industry affiliates are expected at Show.



2024 ATD SHOW

ATD SHOW IS BACK!

This year's ATD Show provides the perfect opportunity for truck dealers and managers to immerse themselves in the latest trends, innovations and strategies to help grow their businesses.

ATD Show educational programs are comprehensive and customizable—not only by track but also by attendees' preferred learning styles. This includes eight make meetings, eight workshops, four general sessions, three ATD NextGen networking events and various Connection Hub appointments—plus the Exchange's popular peer-to-peer learning.

The Wynn Las Vegas is the headquarters for all ATD Show meetings and functions from Thursday, February 1, to Saturday, February 3. To offer the best of both worlds, there will be convenient shuttle service between the Encore and the Las Vegas Convention Center. This will allow ATD Show attendees to easily take advantage of all NADA Show events and offerings, including the exciting Welcome Reception at the Sphere, daily Main Stage sessions and NADA Expo's 500-plus exhibitors.



exponentially

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- ✓ Remarketing
- ✓ Wholesale inventory finance
- ✓ Dealer loans



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A leading F&I provider



Over 7 million vehicles sold on SmartAuction

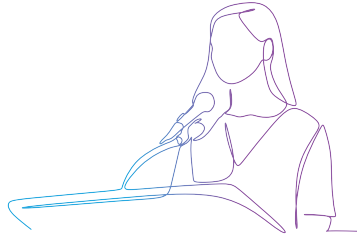
ally
do it right.

finance | insurance | remarketing

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or call **888-919-2559** to get started.



Sold-out event! The popular WDAR lunch has evolved into a full-day program, with expanded networking and educational opportunities.



Women in the Driver's Seat

Women Driving Auto Retail has an even bigger presence at NADA Show 2024.

BY SHERYLL POE

NADA's annual Women Driving Auto Retail (WDAR) lunch has been expanded to a full day of programming at this year's Show. The popular event features networking, inspiring speakers and expanded educational sessions.

The program kicks off at the Wynn Las Vegas on Thursday, February 1, with high-profile sponsors Ally, CarGurus/CarOffer, Group 1 Automotive, RouteOne and Solera. The day begins with back-to-back sessions featuring renowned speaker and social psychologist Dr. Amy Cuddy, and entrepreneur and gender-equity advocate Shelley Zallis. Next up: a dynamic networking lunch.

In the afternoon, attendees head over to the Las Vegas Convention Center for more WDAR-focused workshops and the "Women in AI" Super Session. Programming concludes with a happy hour on the convention center rooftop terrace.

Attendees of the WDAR event will have a chance to win one of three scholarships to the NADA Professional Series program, a \$2,995 value. (Awards must be redeemed by a female employee in the winner's dealership in 2024, but can be used for a class held in 2024 or 2025.)

'NO GLASS CEILING'

WDAR was introduced as a networking event at NADA Show more than a decade ago and has grown larger every year. More than 500 leaders in the auto-retail industry attended the WDAR annual lunch at NADA Show 2023 in Dallas.

"NADA's WDAR has significantly raised the awareness of women working in the industry," says

Annette Sykora, NADA Foundation chair and a third-generation dealer from Texas. "It boosts the confidence of women already in our industry as well as attracts other women by showcasing the interesting and rewarding positions within dealerships."

In addition to its work at NADA Show, the WDAR team produces webinars and blog posts throughout the year to give dealers the tools and expertise to increase employment diversity. Sample topics include ways to create an inclusive work culture and how to write a job description that attracts a broader pool of potential candidates.

Ohio dealer Michelle Primm, a strong WDAR proponent, says there "are small things we can all be implementing in our dealerships to attract more women—from educating employees on bias to adopting practices that support working moms, like flexible schedules to work-around day care."

The WDAR initiative is just the latest example of how NADA has been driving change and supporting women in leadership roles within the retail automotive industry. Sykora was elected as the first woman to chair the association in 2008. And Jodie Teuton, commercial truck dealer in Louisiana, was elected chairwoman of NADA's American Truck Dealers division in 2018.

"In my more than 40 years working in the industry, I have seen great strides in including more women," says Sykora. "We have more to do. Women customers continue to make up a large portion of the decision makers when choosing transportation or service on their present vehicles. We must continue emphasis on highlighting how there is no glass ceiling, no barriers to success and a wide range of opportunities for women." ❖





Winner takes it all: Gary Rome is honored as the 2023 TIME Dealer of the Year by Time Inc. CEO Jessica Sibley (left) and Ally Dealer Financial Services President Doug Timmerman last year.

NOMINEES FOR THE 2024 TIME DEALER OF THE YEAR AWARD

Dale Benton

Benton Nissan of Hoover
Hoover, Ala.

Scott Bieler

West Herr Ford of Hamburg
Hamburg, N.Y.

Michael Carroll

Jack Carroll's Skagit Hyundai
Burlington, Wash.

Rita Case

Rick Case Honda
Davie, Fla.

Ray Catena

Ray Catena Motor Car Corp.
Edison, N.J.

Matt Cook

Goode Motor Ford
Burley, Idaho

Sean Coughlin

Subaru White Plains
Elmsford, N.Y.

Robert H. Crews III

Crews Subaru and Crews Chevrolet
North Charleston, S.C.

James Davis

Gulfgate Dodge Chrysler Jeep Ram
Houston, Texas

Troy Duhon

Toyota of New Orleans
New Orleans, La.

Gary Dunn

Dunn Ford Co.
Stigler, Okla.

Arin Emmert

Fremont Motor Co.
Lander, Wyo.

Michael Ettleson

Ettleson Cadillac Buick GMC Inc.
Hodgkins, Ill.

Thomas Ewald

Ewald Chevrolet
Oconomowoc, Wis.

Rolen E. Ferris

Bobby Rahal Lexus
Mechanicsburg, Pa.

Jeff Field

Landers Chrysler Dodge Jeep Ram
Southaven, Miss.

H. Lehman Franklin

Franklin Toyota
Statesboro, Ga.

Tim Glockner

Glockner Chevrolet
Portsmouth, Ohio

Amanda Grappone Osmer

Grappone Mazda
Concord, N.H.

Cody Haiar

Frontier Motors
Stigler, S.D.

Don Hamrick

Chapman Dodge Chrysler Jeep Ram
Las Vegas, Nev.

Jill Hattan

Don Hattan Chevrolet
Wichita, Kan.

Michael Herrick

Liberty Ford
Maple Heights, Ohio

John Hiester

John Hiester Chevrolet
Fuquay-Varina, N.C.

Steve Hinchcliff

ONYX Automotive
Omaha, Neb.

Gary Housley

Chalmers Ford
Rio Rancho, N.M.

Russ Humberston

Beaverton Toyota
Beaverton, Ore.

Danny Jones

Jones Junction
Bel Air, Md.

Ben Keating

Toyota of Victoria
Victoria, Texas

Damon Lester

Nissan of Bowie
Bowie, Md.

David Mills

Mills Chevrolet Co.
Davenport, Iowa

J. Blake Murdock

Murdock Ford
Santaquin, Utah

Thomas Murphy

Falmouth Toyota
Bourne, Mass.

Barry Nelson

Nelson Ford Mazda
Martinsville, Va.

Charles Notbohm

Notbohm Motors Inc.
Miles City, Mont.

Brian O'Meara

O'Meara Ford Center Inc.
Northglenn, Colo.



TIME

Dealer OF THE Year

ANNUAL AWARD
OF EXCELLENCE.

BY PETER CRAIG

Get ready for one of NADA Show's most popular events: the presentation of the TIME Dealer of the Year Award. At the Main Stage on Saturday, February 3, nearly 50 of auto retail's best will be narrowed down to one superstar.

The 55th annual award is sponsored by Ally, which is contributing \$1,000 to each nominee's charity of choice, \$5,000 to each of the four regional finalists' charities and \$10,000 to the national winner's charity.

Here's the backstory: A panel at the University of Michigan's Tauber Institute of Global Operations picks four finalists from a large number of extremely talented nominees—49 this time—then narrows down the choices to a single top honoree. The panel considers such factors as new-and used-vehicle sales, service, market share, customer satisfaction, staff training, ethics, physical plant and facilities, and participation in dealer associations. Another measure is service to community, which this year has included everything from child advocacy to Meals on Wheels.

"Congratulations to this year's recipients. Each of them works tirelessly to help their communities and their industry," says NADA Chairman Geoffrey Pohanka. "They represent the best of our profession and are an inspiration to us all." ❖

Steve Pleau

Future Ford Lincoln of Roseville
Roseville, Calif.

Mark Politte

Stanley Subaru
Ellsworth, Maine

Michael Puetz

Sugar Loaf Ford Lincoln
Winona, Minn.

Trevin Reed

Reed Chrysler Dodge Jeep Ram
St. Joseph, Mo.

John Roberts Sr.

John Roberts Toyota
Manchester, Tenn.

Dean Sides

George Kell Motors
Newport, Ark.

Peter Smith

Bob Smith Toyota
La Crescenta, Calif.

Nancy Sparks

Kerry Toyota
Florence, Ky.

Thad Szott

Szott M-59 Chrysler Dodge Ram
Highland, Mich.

John Tapper

John H. Tapper Inc.
Paw Paw, Mich.

Fredrick J. Timbrook

Timbrook Chevrolet
Keyser, W.Va.

Daniel Wilson

Corwin Chrysler Dodge Jeep Ram
Fargo, N.D.

Nickolas York

York Chrysler Dodge Jeep Ram
of Plainfield
Plainfield, Ind.



NADA ENGAGE

ENERGIZE NEW GROWTH AND GENERATE EARNINGS

[NADA.ORG/EDUCATION](https://nada.org/education)



NADA Engage: Post-Academy Connections

One year in, new peer-to-peer program proves popular with recent Academy graduates.

BY SHERYLL POE

From Academy classes, where current and future dealership leaders learn to operate successful stores, to 20 Groups, where same-make dealers help guide their groups on industry hot topics and issues, NADA's education programs are all about learning, connecting and collaborating.

NADA's latest educational offering, NADA Engage, came about thanks to recent Academy graduates who were seeking a way to stay engaged not only with their Academy classmates but with NADA itself.

"The NADA Academy and Engage groups offer something uncommon—the perspective and collective experience of people across different manufacturers," says Amanda Cruz, general manager/comptroller, Mistlin Honda, Modesto, Calif. Cruz is also chair of her Engage Group. "Being part of an Engage Group helps you harness all your knowledge and prioritize what will have the biggest positive impact on your store; then holds you accountable to implement change."

Today, there are eight Engage Groups across the United States, with more than 160 participants who discuss industry news and trends, strategize

future success, and review topics and concepts learned at Academy.

"I joined Engage because I felt the relationships that I had formed in Academy were too valuable to me and the success of my business to not continue on after graduation," says Logan Gastman, director of operations, Roanoke Motor Co., Roanoke, Ill. "The 'power of the room,' as we call it at NADA, is strong in our Engage Group, and there is no issue we have not been able to overcome as a group."

FILLING THE GAP: ACADEMY, 20 GROUPS

For decades, owners, dealers or managers actively involved in running the business have joined 20 Groups for peer-to-peer networking and professional development. But there had not been a program specifically aimed at younger, dealer-level

senior staff. NADA Engage is on a mission to fill the gap for the next generation of dealership leaders.

“Engage offers a little Academy teaching, a little 20 Group discussion,” says Engage member Prentiss Smith, general manager, Toyota of Brookhaven, Brookhaven, Miss. “Engage takes the best of what NADA is and gives us an outlet to receive it.”

Unlike a 20 Group, which meets approximately three times a year and usually away from the dealership, NADA Engage members themselves decide the frequency and topics for meetings. Meetings can be held virtually or in person (it’s up to each group to decide) and are moderated by an NADA subject matter expert. In addition, Engage Group members travel to NADA headquarters once a year to stay up to date on everything NADA is doing.

“One of the best parts of being in an Engage Group is that

the dealers are all different sizes and franchises, and I have learned many things I can improve on in my business from dealers with other makes and dealers that are much larger or smaller than me,” Gastman says. “The diversity in the Engage Groups helps us attack issues in our business from many different viewpoints, often coming together with a combination of ideas that are helpful to every dealer in the room.”

BRINGING THE LESSONS HOME

NADA’s education team has also recently added a seventh class session to Academy class schedules. Known as “Homecoming,” Academy graduates now have virtual follow-ups with Academy instructors and staff two and then four months after graduation, and an in-person “Super Session” at the six-month mark. The goal is to check in with Academy graduates and gauge the

A Diverse Workforce

Strong dealerships reflect their communities.

NADA LEADS THE WAY

To help America’s dealerships recruit, train and retain the best employees, NADA has been helping ensure diversity, equity and inclusion (DEI) initiatives remain a priority.

NADA has created new 20 Groups for women and minorities, and provides DEI education through NADA Academy, custom training workshops and online educational courses. NADA’s Women Driving Auto Retail initiative helps amplify voices of women working in auto retail, as well as increase female employment in dealerships. Now in its third year, NADA’s Heritage Month blogpost series highlights the diverse talent found in today’s dealerships nationwide.

NADA is also partnering with the National Association of Minority Automobile Dealers and the Ford Foundation, as well as third-party

groups outside the industry like the National Urban League and regulatory agencies, to educate them on NADA’s DEI priorities and work together where synergies exist.

BUILDING THE FUTURE

The first-of-its-kind workforce partnership with the National Urban League was announced at NADA Show 2022. Last year, the NADA Foundation, National Urban League, Urban League of Louisiana and Louisiana Automobile Dealers Association launched an 18-month pilot program in New Orleans and Baton Rouge.

Fifteen apprentices and six dealerships are participating in the workforce development initiative to help create the next generation of auto techs. The apprentices are trained at two Louisiana community colleges, Baton Rouge Community

College and Delgado Community College. The goal is for the Louisiana pilot to become a model for similar programs across the country.

“The techs are happy to get a specialty and work in a trade they enjoy,” says Myra Dandridge, NADA executive director of external affairs and public policy. “The apprentices are getting exposed to a career where they can move into the middle class and provide financial support to their families.”

Diverse perspectives also lead to innovative ideas and creative problem solving, which are key for today’s dealerships. “Workplaces are reflections of the communities they serve and supporting diversity, equity and inclusion throughout America’s local auto dealerships can lead to real returns that impact a business’s bottom line,” says 2024 NADA Chairman Gary Gilchrist. ❖

progress they've made on the professional objectives they set while at the Academy.

"They're able to have those conversations and talk about those objectives, and touch in with the class and hold each other accountable with what they said they'd do," says Camron Wilson, NADA vice president, education & training. "It's a natural feeder into the Engage program. They cover so much in that year in Academy classes, so it's a good follow-up."

SUBSCRIPTION TRAINING OPTION

The NADA Education Subscription option, now in its second year, provides dealerships with continual training and development for all dealership employees, and for the price of a single monthly car payment.

The Education Subscription encompasses all NADA

Professional Series classes and seminars, including the popular *Essential Service Advisor* online courses. In fact, 75% of enrollments for Professional Series classes are from dealerships with Education Subscriptions.

"We have a ton of dealers on the subscription, and a ton of enrollments—and the dealers who are signed up are really taking advantage of it," Wilson says. "The Education Subscription is a great retention tool for dealerships to say to employees, 'You have the ability to take any of these classes, in person or live online.'"

NADA now has expansive and flexible learning options as well as vast networking offerings that leverage relationships built inside and outside the classroom. As a result, current and future dealership owners and managers have never had more tools and opportunities to advance their own careers, as well as the careers of their employees. ❖

2024 NADASHOW

DEI at NADA Show

Various NADA Show 2024 sessions focus on making DEI a priority at dealerships. (Find all sessions on the NADA Show app.)

- **NADA Live Stage segments.**

A roundtable with African American dealer principals, as well as "Vehicle Sales by Buyer Segment" by Marc Bland, chief diversity officer (automotive), S&P Global.

- **Exchange sessions.** For the first time, Exchange sessions are organized around communities, including women and minority dealers. Attendees share challenges and success stories with peers who have been there.



- **Super Session: *Unleashing the Combined Power of AI and Human Capital.*** Panel of seven women leaders, with high-speed Q&A, including on resolving workplace biases.

- **Workshop: *How to Build an Employee Resource Group 101.*** The who, what and how of inclusion, led by Dayna Kleve, Walser Automotive Group director of diversity, engagement and foundation.

- **Workshop: *Forget about Diversity—Let's Talk about Inclusion.*** Developing four essential inclusive leadership skills, led by Sandy Zannino, HR & DEI consultant at Innovative Auto HR LLC.

- **Workshop: *Narrowing the Gender Gap: How to Recruit and Retain Women Technicians.*** Tools and resources to most effectively draw and keep female techs, led by Ducker Carlisle's Meredith Collins and Billy Murch Elliot. ❖

Powered up: Car and truck dealers have invested more than \$10 billion at their stores to help sell and service EVs.





Tapping the Brakes on EVs

Dealers made the investments, bought the inventory, but customers haven't shown up—even as regulators are going full-tilt. What's next for electric vehicle policy?

BY JONATHAN COLLEGIO

There is nothing dealers love more than new product. And there has scarcely been a time in the last 50 years when more exciting new models have hit showrooms than in 2023. Manufacturers doubled the number of electric vehicles available in showrooms last year, with even more on the horizon. Local dealerships invested a total of \$10 billion in equipment, charging infrastructure, training and inventory for these vehicles. But by mid-2023 it became clear that customers just weren't showing up to purchase new EVs.

And it's not that they weren't interested. According to Escalent research, the number of "EV Intenders"—that is, new-car buyers who have a high propensity to shop for an EV—climbed to 23% in 2023.

But interest in EVs didn't turn into sales. Why not?

For many customers, the practical aspects of owning an electric car just don't work.

"With traditional ICE cars, the vehicle fits into your lifestyle," says one Porsche dealer in Colorado. "Our customers are finding that once they buy an EV, they have to fit into the EV lifestyle—and many are just not willing to do that."

The central difference between the "EV lifestyle" and traditional gas car ownership is charging. Most consumers are deeply skeptical about trading easy-to-fill gas tanks for hour-plus charges at charging stations.

According to J.D. Power, four of the top five reasons for EV rejection relate to charging, with 76% of consumers who reject EVs citing at least one charging-related concern. And according to an NADA dealer survey, 69% of consumers who decline to purchase an EV cite driving range as their chief concern.

The product is terrific—but the practical drawbacks of owning an EV seem to be thwarting mass EV adoption.

While this may be a surprise to regulators—who at the federal level are pushing for two-thirds of vehicles to be zero emission by 2032—the challenge of bringing new technology to the mass market is old-hat in the marketing world.

TOO FAR TOO FAST

In the marketing classic *Crossing the Chasm*, author Geoffrey Moore describes the difficulty of moving new technology from early adopters to the mass market. The problem is so universal and so difficult that Moore says there is effectively a "chasm" in the market between early adopters and the mass market that can be nearly impossible for tech companies to cross.

Early adopters "find it easy to imagine, understand and appreciate the benefits of new technology," but mass-market customers—even progressive ones—are "ultimately... driven by a strong sense of practicality."

That's why through meetings at the White House, the Environmental Protection Agency (EPA) and Congress, NADA has been calling on federal regulators and Congress to slow down on EV mandates. Since the summer of 2023, when EPA released its new proposed targets on EVs, NADA has called the proposal "too far too fast" and urged regulators to take a more realistic, consumer-friendly approach to adopting EVs.

NADA has been particularly supportive of bringing targets to more realistic levels, moving the time line back, and promoting the use of hybrids and plug-in hybrids to both lower emissions and get mass-market customers used to plugging in.

Two major legislative proposals are gaining momentum. Lisa McClain (R-Mich.) sent a letter to House and Senate leaders co-signed by 223 members of the House and Senate supporting a provision to pause EPA's EV mandates for one year. A parallel initiative, the CARS Act, passed the House and goes further and would permanently prevent the EPA from mandating any specific

technology, such as EVs. NADA is backing both the one-year pause and the CARS Act. President Biden has threatened to veto both bills, but the one-year pause has a narrow path to passage if included as part of a broad spending bill in 2024.

"The government has got to put consumers at the center of this equation—or we're going to wreck the economy while keeping older ICE vehicles on the road," says NADA President and CEO Mike Stanton. "The EPA is going too far too fast, and if its targets end up too aggressive, we'll be looking at all options to bring common sense back into EV policy." ❖

For a comprehensive list of NADA's public policy efforts on EVs, visit nada.org/epa.



Charging ahead: NADA promotes plug-in hybrids to help customers become more comfortable with electric vehicles.



NADA Activity on EPA Mandates in 2023

May

- NADA published *Dealerships on Track to Invest \$5.5 Billion in EV Infrastructure*, highlighting the huge investment in equipment, charging infrastructure and training dealers are making to support the sales and service of EVs.
- The investment figure has since been increased to \$10 billion to include dealership EV inventory.
- NADA Regulatory Affairs Committee member Jeff Weber testified on problems with EPA's EV proposal and submitted remarks for the record.
- Former ATD Chairwoman Jodie Teuton testified on behalf of ATD regarding EPA's aggressive greenhouse gas emissions standards for heavy-duty commercial trucks.

July

- NADA filed extensive comments in response to EPA's EV proposal, focused on the vehicle demand side of the equation.
- NADA stressed that new standards must account for factors such as vehicle affordability, consumer incentives, charging infrastructure, utility capacity and model availability.

September

- Reversing EPA's "too far too fast" approach is one of NADA's legislative priorities.
- During NADA's Washington Conference, dealers and ATAEs began pressing Congress to correct EPA's EV policy.
- NADA urged members of Congress to sign a letter led by Rep. Lisa McClain (R-Mich.), which expressed strong opposition to "EPA's misguided attempt" to push EVs before consumers are ready. The letter currently has 179 total signers (21 senators, 158 representatives).

September-November

- NADA began advocating for the Choice in Automobile Retail Sales (CARS) Act (H.R. 4468/S. 3094), which permanently prohibits EPA from finalizing its emissions proposal.
- NADA held numerous in-person meetings with senior White House and EPA officials to voice practical concerns about the impact of the proposed emissions regulation and to provide data demonstrating why the regulations will actually slow, rather than accelerate, EV adoption.

October-November

- NADA influenced a front-page *New York Times* article about the realities confronting policymakers with EV tax credits.
- NADA Director and Past Chairman Rhett Ricart was quoted as a Ford dealer on the front lines.

November

- NADA and ATD jointly submitted a letter to House Republican leadership in support of the House Interior-Environment Appropriations bill (H.R. 4821), which would prevent EPA from finalizing or implementing the unrealistic EV mandates for light-duty and medium- and heavy-duty trucks. The House passed H.R. 4821 on November 3.
- NADA published an op-ed in *Automotive News* urging policymakers to consider plug-in hybrids as a bridge to EVs.

December

- NADA voiced support for an effort by Rep Lisa McClain (R-Mich.) to pause implementation of any new EPA rule on EVs for one year.
- NADA voiced support for the CARS Act—a measure that would disallow EPA from spending any taxpayer money to implement its proposed rules on EVs. ❖



NADA Century Award

Dealership success stories
100 years in the making.

BY ROBERT TREADWAY

A growing number of America's new-car dealers have been in business for more than 100 years. Some, ranging from wagon makers to bicycle shops to general stores, were established before the advent of mass-produced "horseless carriages." Others affiliated with manufacturers directly once word spread about these newfangled machines and the possibilities they presented. The NADA Century Award celebrates these remarkable dealers. ❖



Dealerships that have been in the transportation business for 100 years or more can apply for the **NADA Century Award** at nada.org.

1847

Glockner Chevrolet
Portsmouth, Ohio
W. Hare & Son Inc.
Noblesville, Ind.

1852

Schaefer & Bierlein Inc.
Frankmuth, Mich.

1859

Reynolds' Garage & Marine Inc.
Lyme, Conn.

1875

Kemmann Chevrolet Inc.
Lowden, Iowa
Normandin Chrysler/Jeep
San Jose, Calif.

1885

Moser Motor Sales Inc.
Berne, Ind.

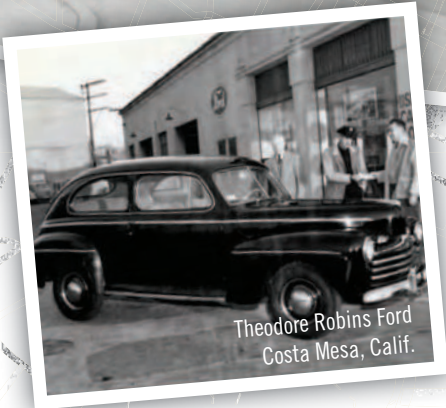
1895

Ferman Motor Car Co., Inc.
Tampa, Fla.





Sax Motor Co.
Dickinson, N.D.



Theodore Robins Ford
Costa Mesa, Calif.

Glockner Chevrolet Portsmouth, Ohio

1847

This year, NADA celebrates nine new dealerships that have become Century Award members. Each will be honored at NADA Show 2024 in Las Vegas.

B. Glockner began its 176-year history as a hardware store and bicycle and carriage shop. In 1893, Alex Glockner founded the Portsmouth Cycling/Motorcycle Club, which is recognized as the oldest motorcycle club in the country. In 1914, Alex Glockner obtained a Chevrolet franchise. The hardware store went bankrupt during the Great Depression, but the sixth generation of Glockners continue to run 15 dealership locations, selling cars and trucks from nine manufacturers today.

Read more about this year's other honorees on the following pages. >

1897

Hill International Trucks LLC
East Liverpool, Ohio

1898

Eich Motor Co.
St. Cloud, Minn.

1900

Diehl Ford Inc.
Bellingham, Wash.
Hulsizer Chevrolet
Montgomery, Pa.

1901

King BMW
Freehold, N.J.

1902

Suttle Motor Corp.
Newport News, Va.

1903

Tenvoorde Ford Inc.
St. Cloud, Minn.
Wentworth Chevrolet Inc.
Portland, Ore.





Smith Ford Conway, Ark.

1916

S.G. Smith had a strong entrepreneurial spirit. He was a farmer, cotton broker and theater owner before becoming a general store owner. Smith Ford, the oldest automobile dealership in Arkansas, began selling “horseless carriages” out of that general store in 1916. Since then, S.G.’s wife became the first woman elected to public office in the state, four generations have served as board chair for the Conway Area Chamber of Commerce, and the dealership has sold every Ford from the Model T to the Model e.

Don Moore Automotive Group Owensboro, Ky.

1919

The year was 1919 and four brothers decided to venture into the burgeoning automobile industry just as it was about to boom. The first Chevy arrived at their store on February 2, 1920, and marked the first sale of an enclosed automobile in western Kentucky. The auto group became a household name with its 1980s TV commercial campaign. “It’s Hot Don” became a common regional saying and was later highlighted nationally as the most-recognized regional tagline of any commercial in the nation by a few top-of-mind awareness studies.

1904

Martens Cars
Washington, D.C.

1905

Claude Nolan Cadillac
Jacksonville, Fla.

1906

Smart Chevrolet Co.
Pine Bluff, Ark.

1907

Garber Buick
Saginaw, Mich.

Luck Chevrolet
Ashland, Va.

Wegner Auto Co.
Pierre, S.D.

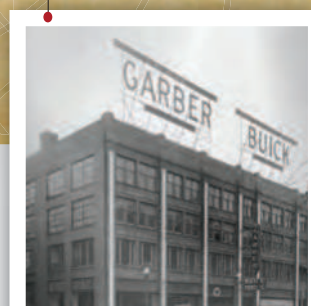
1908

Don Drennen Motor Co.
Hoover, Ala.

Goodwin Bros. Auto
New Castle, Ind.

I.G. Burton and Co., Inc.
Milford, Del.

Smart Motors Inc.
Madison, Wis.





Schwartz Mazda Shrewsbury, N.J.

1919

After World War I, Maurice Schwartz began his auto career with trucks and military vehicle franchises, before becoming central New Jersey's Chrysler and Plymouth dealer. Since then, three generations of Schwartzes have worked at the dealership. Maurice's grandsons, Jim and Jon, became local legends for their zany TV commercials parodying pop culture hits like *Wayne's World* and *Star Wars*. Jay Schwartz says their management style is: "If we take care of our employees and they take care of the customers, it's a pretty good circle."

Felix Chevrolet Los Angeles

1921

Auto dealer Winslow Felix used his social connection with the creator of Felix the Cat, a popular character in the "funny papers," to cross-market their brands. Through his active civic life, the dealer became close friends with the cartoon's creator, Pat Sullivan. The dealership's iconic Felix the Cat signage made it a landmark, and since the L.A. riots in 1992, the store has become a shining 27-acre keystone to the revitalization of historic Figueroa Street.

1910

Grovert Motor Co.
Newhall, Iowa

Sames Motor Co.
Laredo, Texas

The Hersrud Co.
Sturgis, S.D.

Tiffany Motor Co.
Hollister, Calif.

1911

Barry Motor Co.
Danbury, Iowa

Hight Auto Group
Skowhegan, Maine

Chuck Colvin Auto
McMinnville, Ore.

Kelleher Motor Co.
Ellensburg, Wash.

Covina Volkswagen
Covina, Calif.

Dahl Automotive
Westby, Wis.

1912

Burke Motor Group
Cape May Court House, N.J.

Harper Motors
Eureka, Calif.

C. Speck Motors
Sunnyside, Wash.

J.C. Lewis Ford
Savannah, Ga.

Witt Buick
Muskegon, Mich.





Sax Motor Co.
Dickinson, N.D.

1923

It's a classic immigrant success story. Mr. and Mrs. Ernest Saxowsky left Mindon, Germany, and settled in Hebron, N.D., in 1888. Their son, Fred, would become the first of four generations thus far to own and operate Sax Motor Co. in Dickinson, N.D. Seeing customers smile as they leave the dealership—and return time and time again over the years—is the most satisfying part of the business, says current dealer-operator Christian Kostelecky.

Rob Sight Ford & Bob Sight Ford
Kansas City, Mo.

1923

The Sight dealership business—comprising Bob Sight Ford, Bob Sight Kia and Rob Sight Ford—celebrates 100 years of serving the Kansas City area. Jack Sight opened Sight Brothers Chevrolet in 1923 with his two brothers, Dave and Harry, joining him to work in the dealership. Today, the family's Ford stores may be competitors in the same market, but the familial competition only pushes them to out-do each other in customer service and community support.

1913

1914

1915

1916

1917

Baker Garage Inc.
Baker City, Ore.

Chapman Ford
Marysville, Ohio

O'Meara Ford
Northglenn, Colo.

Oliver C. Joseph Inc.
Belleville, Ill.

**Brasher Motor Co.
of Weimar Inc.**
Weimar, Texas

Broadway Automotive
Green Bay, Wis.

McClinton Chevrolet Co.
Parkersburg, W.Va.

Edwards Chevrolet Co.
Birmingham, Ala.

Mark Moats Ford
Defiance, Ohio

McDaniel Motor Co.
Marion, Ohio

Smith Ford
Conway, Ark.

R.I. Suresky and Sons Inc.
Goshen, N.Y.

**Brown's Automotive
Group**
Patchogue, N.Y.

**Soerens Ford of
Brookfield**
Brookfield, Wis.





Sullivan-Parkhill Automotive Champaign, Ill.

1923

It is a marriage arranged by corporate proposal. General Motors' "Project 2000" wanted dealerships in the same market to consolidate. Sullivan Chevrolet was the only compatible partner in town for Parkhill Motor Sales, but it had Volvo, which Chevrolet didn't want in one of its stores. And Oldsmobile and Cadillac did not want Mercedes-Benz in the same store. In the end, the merger of the two created Sullivan-Parkhill Automotive, the region's largest Chevrolet, Oldsmobile and Cadillac dealer, and Sullivan-Parkhill Imports, selling Mercedes-Benz and Volvo vehicles.

Theodore Robins Ford Costa Mesa, Calif.

1923

Theodore Robins Sr. seized an opportunity to claim the first Ford franchise in Orange County, Calif., after establishing himself as a service garage owner. Son Bob joined him in repair service when he was 14 years old. Their entrepreneurial spirit and background in repair service is what helped keep the family in business during the Great Depression and World War II. The legacy lives on in the family tradition of hard work and serving the community.

1918

Colussy Chevrolet
Bridgeville, Pa.

Sandman Brothers Inc.
Shelbyville, Ind.

1919

**Don Moore
Automotive Group**
Owensboro, Ky.

Mohawk Honda
Glenville, N.Y.

Pohanka Automotive Group
Washington, D.C.

Schwartz Mazda
Shrewsbury, N.J.

Walker Automotive
Alexandria, La.

1921

Felix Chevrolet
Los Angeles

1922

**M.J. Goss Motor
Company**
La Grande, Ore.

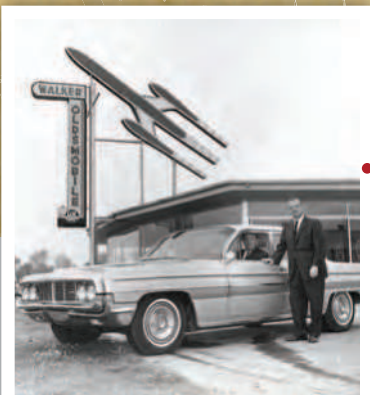
1923

Theodore Robins Ford
Costa Mesa, Calif.

Sax Motor Co.
Dickinson, N.D.

**Rob Sight Ford &
Bob Sight Ford**
Kansas City, Mo.

Sullivan-Parkhill Automotive
Champaign, Ill.





A Natural Leader

2024 NADA Chairman Gary Gilchrist draws on a lifetime of experience to help the auto industry move forward.

BY SHERYLL POE

Gary Gilchrist is known for being a lot of things—an energetic businessman, an advocate on behalf of the auto-retail industry, a guardian angel through donations to the local school district and for cancer research, and now 2024 NADA chairman.

But he is best known among his colleagues, employees and friends as a dedicated family man. “What I like to do for fun is play with my four grandkids,” says Gilchrist, president of Gilchrist Chevrolet Buick GMC Inc., in Tacoma, Wash.

“Gary is a very good family man. He puts his family first,” says niece Stephanie Gilchrist-Legary, who—along with her cousin and Gary’s son Nick Gilchrist—are the fourth-generation owner-operators of the three Gilchrist dealerships.

BUILDING A BUSINESS

Gary Gilchrist was raised in University Place, a Tacoma suburb, where the Gilchrist family was already deeply ingrained in the community and local auto industry. Gilchrist’s grandfather, James M.H. Gilchrist, emigrated from Scotland in 1927 and sold trucks and buses until he purchased his own dealership in the 1940s, selling Studebakers and Plymouths.

In 1977, a newly married Gary Gilchrist joined the family business after graduating with a bachelor of science degree from Washington State University. Gary and his brother, John Gilchrist Jr., added a Chevrolet dealership to the family holdings in 1988 and a GMC franchise in 2009.

47
NUMBER OF YEARS GILCHRIST HAS WORKED IN AUTO RETAIL

Gilchrist Auto Centers



1940s

GILCHRIST'S GRANDFATHER, JAMES GILCHRIST, OPENED THE FAMILY'S FIRST DEALERSHIP IN TACOMA, WASH.

2007

GILCHRIST WINS *TIME* DEALER OF THE YEAR AWARD FOR WASHINGTON STATE



Family first: Gary Gilchrist at Gilchrist Chevrolet Buick GMC Inc. (above), and with wife Gwen and their dog Ellie (left).

“My brother was my business partner for 44 years,” Gilchrist says of John Jr., who passed away from non-Hodgkin lymphoma in 2020. “He was the best gift my parents ever gave me.”

Five years ago, Gilchrist handed off the day-to-day operations of his dealerships to his son, Nick, and his niece, Stephanie. “I decided to let them run the store, to be the next generation

to run the business, and it turned out to be a really good move,” Gilchrist says.

WORKING WITH NADA

While looking for a way to give back to the industry, Gilchrist became involved with the Washington State Auto Dealers Association, where he served as president in 2014-2015. In addition, Gilchrist was chairperson of the Seattle

International Auto Show in 2015 and 2016, and still serves on the Washington State Auto Dealers Executive Committee.

For the past six years, Gilchrist has been actively involved with NADA. He represents Washington state’s new-car dealers on NADA’s board of directors, serves as vice chairman of NADA Foundation and was chairman of NADA’s Dealership Operations



120
 NUMBER OF
 EMPLOYEES
 AT GILCHRIST
 CHEVROLET BUICK
 GMC INC.

Collaboration is key: Gilchrist visits the dealership service department to check in with service writers Charles White (left) and Suzanne Cronin (right).

Committee. “Dealership operations is such a critical thing,” he says. “Training and growing the industry, and helping people understand the value of it, is one of the highlights for me.”

Gilchrist has joined in several initiatives aimed at hiring and training employees and dealership leaders, including NextGen, 20 Groups and the new Engage Groups, which started as a pilot program in Washington state (see “NADA Engage: Post-Academy Connections” on page 26).

NEXT UP

For 2024, Gilchrist wants to continue his focus on dealership operations. “Workforce is always top of mind and how we can attract the next generations to this profession,” he says. “It has to do with attitude, passion and engagement.

If you have that, there’s a place in this industry for everyone.”

That includes hiring, retaining and promoting more women and more minorities in dealerships. “It shouldn’t make a difference what your gender is; it’s all about the customer experience,” Gilchrist says, while noting that his parts manager is female. “It’s interesting when you take a parts department and you now have a female in there, that attracts more women. It’s now a safe area. It’s all about how you set the culture up.” (See “A Diverse Workforce” on page 28.)

Gilchrist also wants to build engagement among dealers, OEMs and ATAEs through collaboration over confrontation. “I want to enhance OEM

relationships and franchise agreements. We need to build that relationship because they are our partners. I want to enhance dealer engagement and involvement, and strengthen our relationships with ATAEs

across the country,” he says.

“Everyone wants to focus on threats and challenges, but if we can’t come to consensus, the one who loses are the customers.”

Overall, 2024 is shaping up to be a productive year

for Gilchrist and NADA. “The auto industry has been really good for me, and I’ve been honored to serve on the NADA board. Now, I want to give back,” Gilchrist says. “I’ve got a lot of energy and a lot of passion for this business, and I want to work on the things that matter to dealers.” ♦

2014
 GILCHRIST SERVES
 AS PRESIDENT OF THE
 WASHINGTON STATE
 AUTO DEALERS
 ASSOCIATION



Saturday, February 3 at noon
OPENLANE | Booth 3741W

Auction to Benefit NADA Foundation and Canine Companions



Low Rider S

Pan America 1250 Adventure Touring

Winner's Choice: Harley-Davidson Low Rider S or Pan America 1250 Adventure Touring

Proceeds from the auction will benefit Canine Companions, which pairs people with disabilities with highly trained assistance dogs and ongoing support to ensure quality partnerships.



Donate Today!

Sponsored by



OPENLANE

OPENLANE has donated a Harley-Davidson motorcycle to NADA Foundation, which will be auctioning it off. No pre-sale qualification required. The motorcycle will be offered for sale by NADA Foundation "AS IS" in an open environment, onsite at the OPENLANE booth #3741W only. No online or proxy bids will be accepted. Winning bidder must pay any and all applicable fees, taxes and winning bid amount directly to the NADA Foundation. Neither NADA Foundation nor OPENLANE can provide any tax information or guidance. Consult a tax advisor regarding any potential tax deduction benefits relating to a charitable contribution. Transportation of the auction item to the winning bidder is limited to the contiguous U.S. and will be scheduled after payment is received by the NADA Foundation.

2024 NADA Officers & Board of Directors

WHO'S WHO

REGION III

- Illinois
- Metro Chicago
- Indiana
- Iowa
- Kansas
- Michigan
- Metro Detroit
- Minnesota
- Missouri
- Nebraska
- North Dakota
- Ohio
- Metro Cleveland
- South Dakota
- Wisconsin

15

REGION IV

- Alaska
- Arizona
- California (Northern)
- California (Southern)
- Colorado
- Hawaii
- Idaho
- Montana
- Nevada
- New Mexico
- Oregon
- Utah
- Washington
- Wyoming

14

5

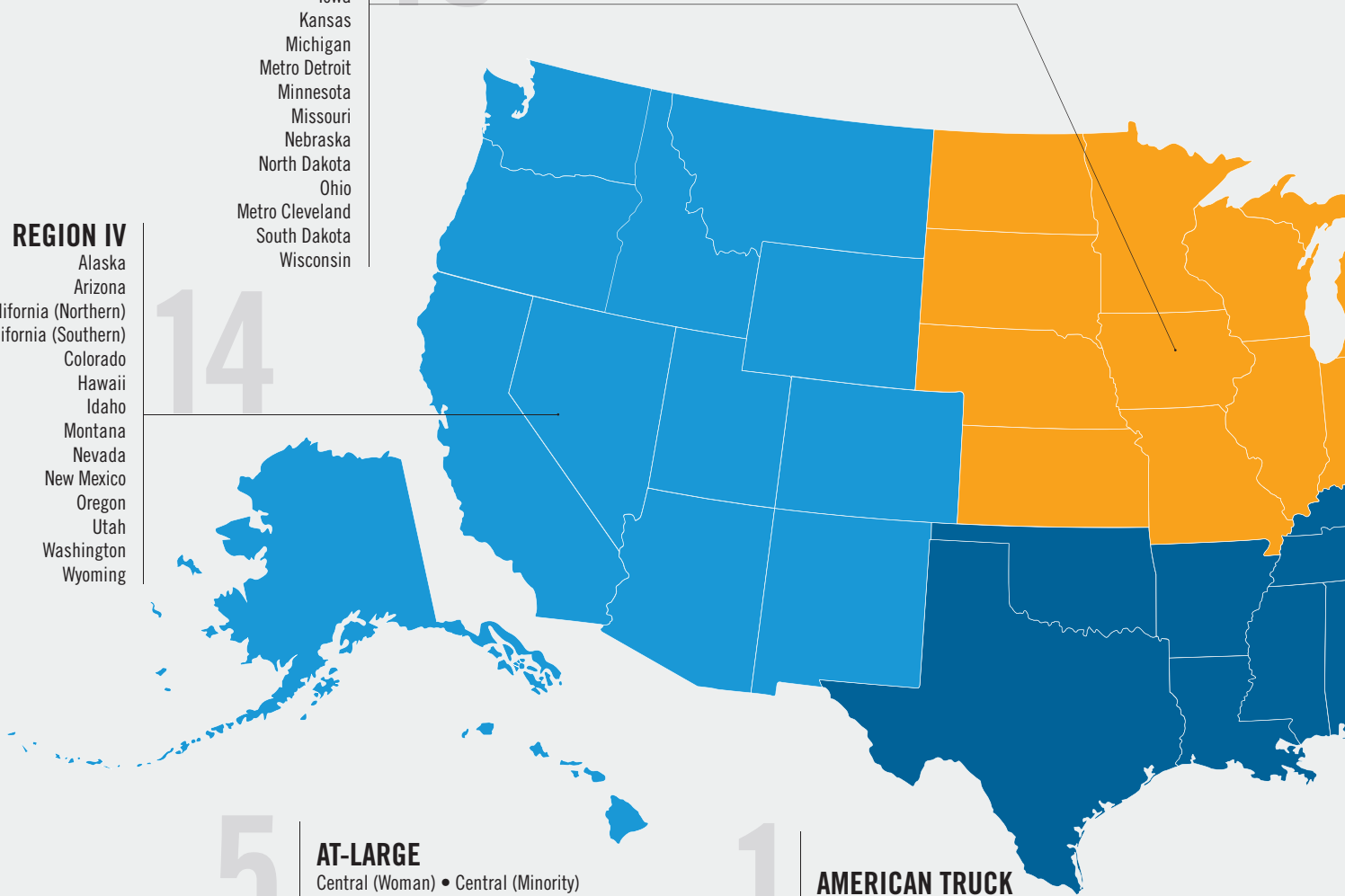
AT-LARGE

- Central (Woman) • Central (Minority)
- East (Woman) • East (Minority)
- West (Minority)

1

AMERICAN TRUCK DEALERS

Chairman



OFFICERS



Gary Gilchrist
Chairman



Thomas Castriota
Vice Chairman



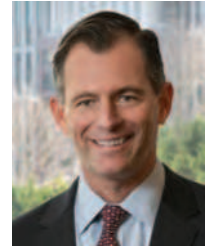
Kirt Frye
Treasurer



Robert J. Vail
Secretary



Geoffrey Pohanka
Immediate Past Chairman



Mike Stanton
President and CEO

12

REGION I
Connecticut
Delaware
Maine
Massachusetts
New Hampshire
New Jersey
New York State
Metro New York
Pennsylvania (Eastern)
Pennsylvania (Western)
Rhode Island
Vermont

17

REGION II
Alabama
Arkansas
Florida
Georgia
Kentucky
Louisiana
Maryland
Mississippi
North Carolina
Oklahoma
South Carolina
Tennessee
Texas (Northern)
Texas (Southern)
Virginia
Metro Washington, D.C.
West Virginia

REGION I



Vice Chairman
William H. Willis Jr.
Willis Automotive Group
Smyrna, Del.
(Delaware)



Jeff Aiosa
Mercedes-Benz of
New London
New London, Conn.
(Connecticut)



Rob Cochran
#1 Cochran
Monroeville, Pa.
(Western Pennsylvania)



Richard DeSilva Jr.
Liberty Subaru
Emerson, N.J.
(New Jersey)



Scott Dube
McGovern Hyundai Rt. 93
Wilmington, Mass.
(Massachusetts)



John Emerson
Emerson Chevrolet Buick Inc.
Auburn, Maine
(Maine)



David Hammer
Contemporary Chrysler Dodge
Jeep Ram Fiat
Milford, N.H.
(New Hampshire)



Frank B. Hanenberger
Brattleboro Subaru
Dodge Jeep Ram
Brattleboro, Vt.
(Vermont)



John McClurg
McClurg Chrysler
Dodge Jeep Ram
Perry, N.Y.
(New York)



John S. Oyer
Faulkner Nissan of Jenkintown
Jenkintown, Pa.
(Eastern Pennsylvania)



Robert F. Tasca Jr.
Tasca Automotive Group
Cranston, R.I.
(Rhode Island)



Robert J. Vail
Vail Buick GMC
Bedford Hills, N.Y.
(New York Metro)

REGION II



**Vice Chairman
James Rivchin**
Dadeland Dodge Chrysler
Jeep Ram
Miami, Fla.
(At-Large East Minority)



Michael K. Alford
Marine Chevrolet
Jacksonville, N.C.
(North Carolina)



Sandy Angello
Pohanka Automotive Group
of Salisbury
Salisbury, Md.
(Maryland)



Tom Bloomfield
Don Thornton Automotive Group
Tulsa, Okla.
(Oklahoma)



Michael Joe Cannon
Cannon Motors of Mississippi
Oxford, Miss.
(Mississippi)



Thomas Castriota
Castriota Chevrolet Inc.
Hudson, Fla.
(Florida)



Roger Elswick
Community Toyota Honda Kia
Baytown, Texas
(Southern Texas)



Mark Hebert
Hebert's Town and Country
Dodge Chrysler
Shreveport, La.
(Louisiana)



TJ Johnson
Conway Ford Inc.
Conway, S.C.
(South Carolina)



Stan McNabb
Stan McNabb Chevrolet
Buick GMC Cadillac
Tullahoma, Tenn.
(Tennessee)



Steve Middlebrooks
Heyward Allen Toyota
Athens, Ga.
(Georgia)



John Mitchell Jr.
Mitchell Nissan
Enterprise, Ala.
(Alabama)



Jason Moses
Moses AutoMall of Huntington
Huntington, W.Va.
(West Virginia)



Tony Pack
Sam Pack Auto Group
Farmers Branch, Texas
(Northern Texas)



Geoffrey Pohanka
Pohanka Automotive Group
Capitol Heights, Md.
(Metro Washington, D.C.)



Danny Renshaw
Renshaw Automotive Group
Bowling Green, Ky.
(Kentucky)



Ted Smith
Smith Ford Inc.
Conway, Ark.
(Arkansas)



Michael Suttle
Suttle Motor Corp.
Newport News, Va.
(Virginia)

REGION III



**Vice Chairman
Joshua Johnson**
Don Johnson Motors
Rice Lake, Wis.
(Wisconsin)



Trace Beck
Beck Motors Inc.
Pierre, S.D.
(South Dakota)



Chris W. Coyle
Coyle Chevrolet Buick
GMC Nissan
Clarksville, Ind.
(Indiana)



Sidney "Sid" Dillon
Sid Dillon Chevrolet
Fremont, Neb.
(Nebraska)



Kirt Frye
Sunnyside Automotive Group
Middleburg Heights, Ohio
(Metro Cleveland)



Ryan Gremore
O'Brien Auto Team
Normal, Ill.
(Illinois)



Jeff Longbine
Longbine Auto Plaza
Emporia, Kan.
(Kansas)



Wesley L. Lutz
Extreme Dodge Chrysler
Jeep Inc.
Jackson, Mich.
(Michigan)



Joseph Massarelli
Liberty Auto City
Libertyville, Ill.
(Metro Chicago)



Colleen McDonald
Livonia Chrysler Jeep
Livonia, Mich.
(Metro Detroit)



Jesse Peterson
Eide Automotive Group
Bismarck, N.D.
(North Dakota)



Rhett Ricart
Ricart Automotive Group
Columbus, Ohio
(Ohio)



Bobby Sight
Rob Sight Ford
Kansas City, Mo.
(Missouri)



Paul Walser
Walser Automotive Group
Edina, Minn.
(Minnesota)



Jeffrey M. Weber
Anderson-Weber Inc.
Dubuque, Iowa
(Iowa)

REGION IV



Vice Chairman
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Shortline Auto Group
Aurora, Colo.
(Colorado)



Matt Browning
Browning Auto Group
Cerritos, Calif.
(Southern California)



Annette DiLorenzo Thayer
Quality Dealerships
Albuquerque, N.M.
(New Mexico)



Gary Gilchrist
Gilchrist Chevrolet Buick
GMC Inc.
Tacoma, Wash.
(Washington)



Eric Jones
Jones Ford Buckeye
Buckeye, Ariz.
(Arizona)



Don Kalttschmidt
Don K Chevrolet Subaru
Chrysler Dodge Jeep Ram
Whitefish, Mont.
(Montana)



James R. Marsh
Jim Marsh Automotive
Las Vegas, Nev.
(Nevada)



Stan Masamitsu
Tony Group
Waipahu, Hawaii
(Hawaii)



Christopher Meier
Herzog-Meier Auto Center
Beaverton, Ore.
(Oregon)



Lane Nichols
Gene's Chrysler Dodge Jeep Ram
Fairbanks, Alaska
(Alaska)



Mark Normandin
Normandin Chrysler
Jeep Dodge Ram
San Jose, Calif.
(Northern California)



Charles H. Ruwart III
Laramie Peak Motors
Wheatland, Wyo.
(Wyoming)



Kirk Schneider
Nate Wade Subaru
Salt Lake City, Utah
(Utah)



David Taylor
Taylor Chevrolet Co.
Rexburg, Idaho
(Idaho)

AT-LARGE



Valerie Bowen
ValMark Chevrolet
New Braunfels, Texas
(At-Large Central Woman)



Nate Sutton
Sutton Ford
Matteson, Ill.
(At-Large Central Minority)



Michelle Primm
Cascade Auto Group
Cuyahoga Falls, Ohio
(At-Large East Woman)



James Rivchin
Dadeland Dodge Chrysler
Jeep Ram
Miami, Fla.
(At-Large East Minority)



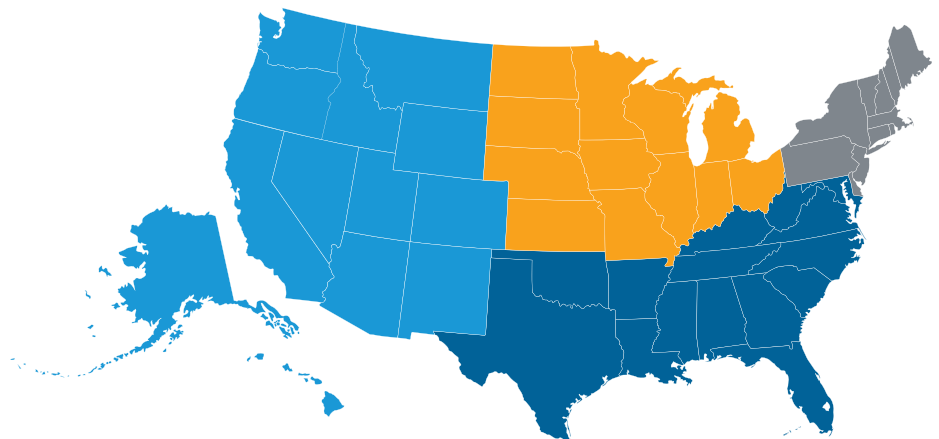
Robert Brogden
Robert Brogden's Olathe
Buick GMC
Olathe, Kan.
(At-Large West Minority)

Election pending for At-Large West Woman director.

AMERICAN TRUCK DEALERS



ATD Chairman
Scott Pearson
Peterbilt of Atlanta
Atlanta, Ga.



NADA Data 2023

mid-year update

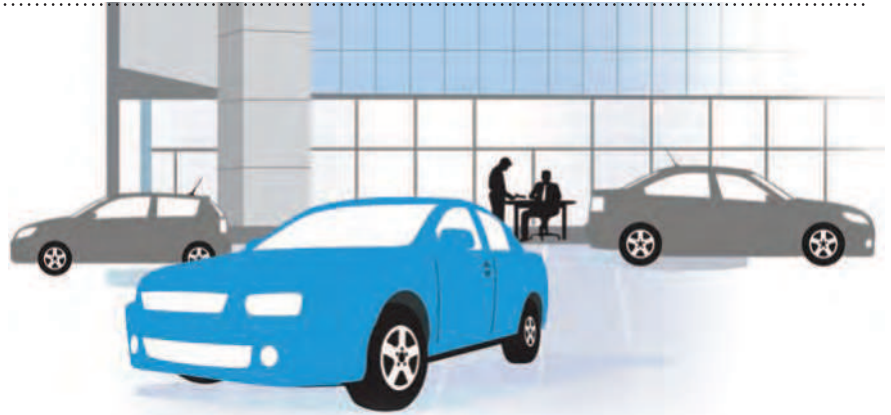
A mid-year report on vehicle sales.

BY JOE PHILLIPS

NADA's regular, comprehensive financial profiles of new-car dealerships—*NADA Data: Full-Year Report* and *NADA Data: Mid-Year Report*—are two of the association's most popular publications. Despite disruptions from the recent UAW strikes, vehicle sales and service have been keeping dealers and their employees busy, and bolstering local economies. Here are some highlights, with all *NADA Data* numbers from mid-year 2023 unless otherwise noted. (For a complete copy of the latest *NADA Data*, visit nada.org/nadadata.)

Total New-Car Dealerships

16,839



TOTAL DEALERSHIP SALES

\$614,650,696,010

...per dealership

\$36,501,615



CALIFORNIA

Highest dollar sales for all dealerships \$73,001,806,236



ARIZONA

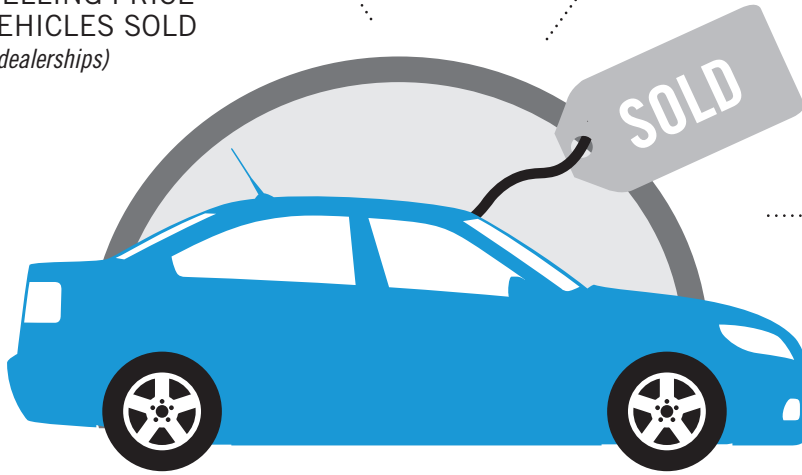
Highest dollar sales per dealership \$58,006,793

\$29,586

AVERAGE SELLING PRICE OF USED VEHICLES SOLD
(by new-vehicle dealerships)

\$47,331

AVERAGE SELLING PRICE OF NEW VEHICLES SOLD



455

AVERAGE NEW VEHICLES SOLD PER DEALERSHIP



domestic
1,564,731

+ import
340,315

NEW-CAR INVENTORY

1,905,046



NEW-VEHICLE DAYS' SUPPLY

38
domestic

31
import

March

Month with most new-vehicle sales

1,375,194 units

Change in number of new vehicles sold

13.2%

from June 2022 to June 2023

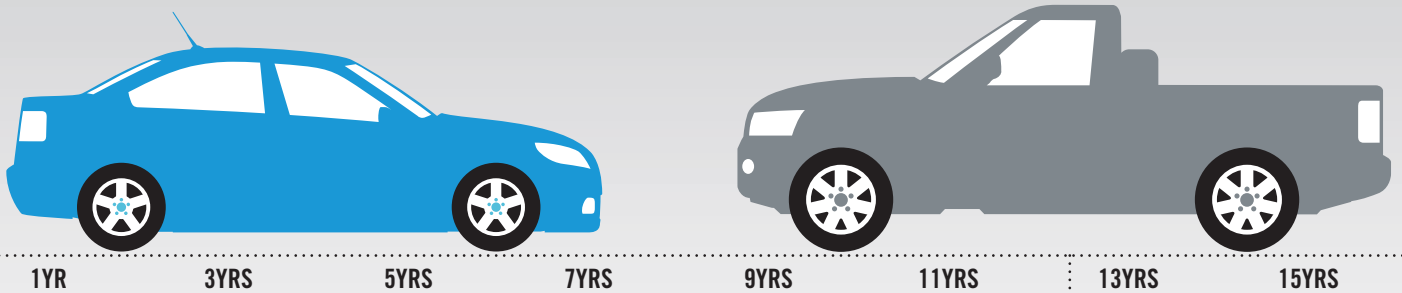
TOTAL NEW VEHICLES SOLD THROUGH JUNE 2023

7.7 million units

VEHICLES IN OPERATION, Q2 2023

287.6 million

Source: Experian



Average age of vehicles on the road
(cars and light trucks, Q2 2023)

**12.5
YEARS**

Source: S&P Global Mobility

DEALERSHIP EMPLOYEES

1,085,600

63

Average per dealership



\$1,681

Average weekly earnings per dealership employee (year-end 2022)

\$5.6 million

Average annual payroll per dealership (year-end 2022)

\$94.0 billion

Total payroll of all dealerships (year-end 2022)

Source: Bureau of Labor Statistics





\$73.8 billion
 SERVICE AND PARTS SALES
(for all new-vehicle dealerships)



\$4.4 million
 SERVICE AND PARTS SALES
(per new-vehicle dealership)



258,004
 TECHNICIANS
(including body shop)

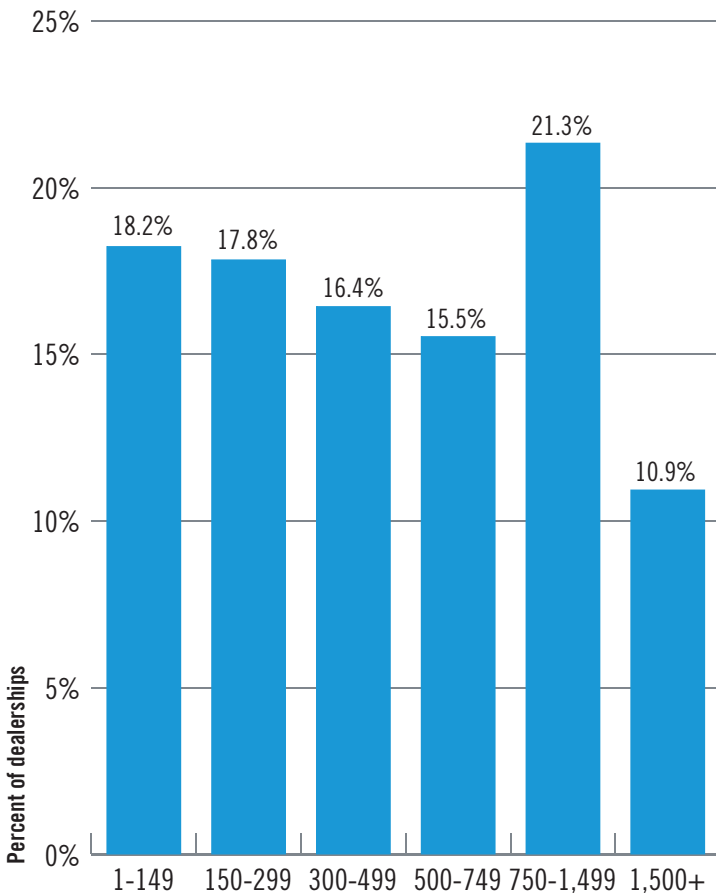


135 million
 REPAIR ORDERS WRITTEN

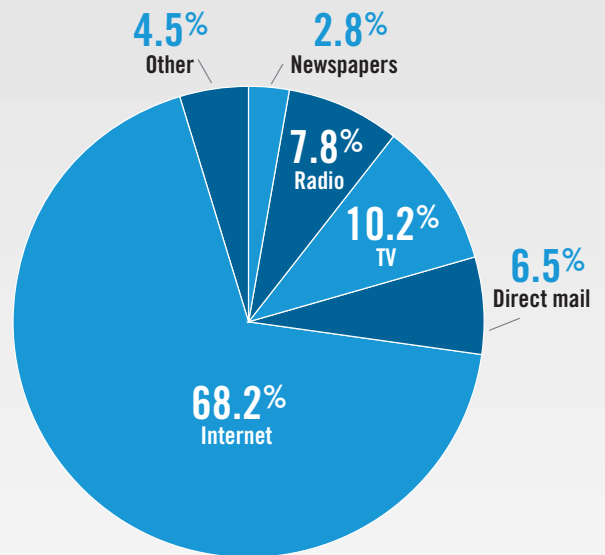
Percentage of dealerships operating on-site body shops

34.2%

SHARE OF DEALERSHIPS BY VOLUME
(of new-unit sales, June YTD 2023)



ADVERTISING EXPENDITURES
(by medium, data from year-end 2022)



(All NADA Data numbers are from mid-year 2023 unless otherwise noted.)

REGULATORY MAZE

Service and Parts Department

- Clean Air Act
- Clean Water Act
- DOT hazardous-materials-handling procedures
- FTC Used Parts Guide
- IRS Core Inventory Valuation
- LIFO/FIFO inventory accounting method
- NHTSA tampering rules
- NHTSA tire rules
- OSHA asbestos standards
- OSHA Hazard Communication Standard
- OSHA lock-out/tag-out procedures
- OSHA workplace health and safety standards
- RCRA
- Safe Drinking Water Act
- Superfund
- UNICAP

Body Shop

- Clean Air Act
- EPA hazardous-waste rules
- OSHA Hazard Communication Standard
- OSHA Respiratory Protection Standard
- OSHA workplace health and safety standards
- UNICAP
- VIN and parts marking



All Departments (Customer)

- Americans with Disabilities Act
- CAN-SPAM Act
- Consumer Review Fairness Act
- Driver's Privacy Protection Act
- Electronic Funds Transfer Act
- FTC Guides Concerning the Use of Endorsements and Testimonials in Advertising
- FTC Privacy Rule
- FTC prohibition against deceptive and unfair trade practices
- FTC Safeguards Rule
- FTC Telemarketing Sales Rule
- FTC warranty rules
- IRS Cash-Reporting Rule
- Magnuson-Moss Act
- OFAC restrictions
- Telephone Consumer Protection Act
- USA PATRIOT Act

Our annual list of major federal regulations. State and local laws also apply and sometimes include additional requirements.

F&I Department

- Dodd-Frank Financial Reform Law
- Equal Credit Opportunity Act
- FACT Act of 2003
- Fair Credit Reporting Act
- FTC Credit Practices Rule
- FTC Holder-in-Due-Course Rule
- Gramm-Leach-Bliley Act
- Military Lending Act
- Micro-Captives and Micro-Captive Arrangements
- Truth in Lending and Consumer Leasing acts

All Departments (General Management/Personnel)

- Affordable Care Act
- Age Discrimination in Employment Act
- Americans with Disabilities Act
- COBRA
- EEO-1 Component 1 Data Collection
- Electronic deposit of taxes
- Electronic records retention
- Emergency-response planning
- Employee drug testing
- Employee Polygraph Protection Act
- ERISA
- Employee verification rules
- Equal Pay Act
- Estate tax
- Family and Medical Leave Act
- Federal child-support enforcement regulations
- Federal Civil Rights Act
- FTC Repossession Rule
- Federal wage-hour and child labor laws
- Genetic Information Nondiscrimination Act
- Health Insurance Portability and Accountability Act
- IRS/DOL worker classification
- IRS treatment of demo vehicles
- IRS treatment of tool plans
- Mail, Internet or Telephone Order Merchandise Rule
- Mandatory workplace posters
- Mental Health Parity Act
- Miscellaneous recordkeeping requirements
- NLRB unionization rules
- Newborns' and Mothers' Health Protection Act
- OSHA Blood-Borne Pathogens Rule
- OSHA injury and illness recording and reporting requirements
- Pregnant Workers Fairness Act
- PUMP for Nursing Mothers Act
- Section 179 expensing and bonus depreciation
- USERRA
- Walking-working surfaces and fall protection rule
- WARN

New- and Used-Vehicle Sales Departments

- American Automobile Labeling Act
- CAFE and GHGs rules
- Diplomat vehicle purchases
- DOE/EPA gas-mileage guide
- Federal bankruptcy law
- FTC Cooling-Off Rule
- FTC guidelines for fuel-mileage advertising and alternative-fueled-vehicle advertising and labeling
- FTC Used Car Rule
- Gray-market vehicles
- Heavy-highway-vehicle excise tax
- IRS treatment of salesperson incentives
- LIFO inventory accounting method
- Monroney sticker (Price Labeling Law)
- Motor vehicle tax credits
- NHTSA alteration and tire-placarding rules
- NHTSA odometer rule
- NHTSA recall regulations
- NHTSA safety belt/airbag deactivation
- NHTSA tire regulations
- School van sales
- UNICAP



In addition to this list of federal laws and regulations, be sure to consult nada.org/regulatoryaffairs for more details.

All Departments (General Management/Personnel)

- **Affordable Care Act (ACA):** Extensive health care reforms enacted in 2010 affect dealerships and their health care plans. For example, most dealerships with more than 50 full-time employees had to decide by January 1, 2015, whether to offer health coverage that meets the federal requirements or pay a penalty. Many additional reporting, recordkeeping and other duties apply to dealerships and other businesses. For more information, visit healthcare.gov. The Tax Cuts and Jobs Act of 2017 (TCJA) eliminated the individual responsibility mandate after December 31, 2018.
- **Age Discrimination in Employment Act:** Protects older individuals against age-based employment discrimination.
- **Americans with Disabilities Act (ADA):** Prohibits discrimination against the physically handicapped in areas of public accommodation. Must make reasonable accommodations to facilities, such as by installing ramps, and accessible parking spaces, drinking fountains, public toilets and doors. While not clearly mandated by the ADA, businesses should consider developing and managing their websites to ensure they are accessible to those with disabilities.
- **Consolidated Omnibus Budget Reconciliation Act (COBRA):** Dealerships with 20 or more employees must continue health care coverage for ex-employees and their families for 18 to 36 months, depending on circumstances.
- **EEO-1 Component 1 Data Collection:** The EEO-1 Component 1 report is a mandatory annual data collection that requires all private sector employers with 100 or more employees, meeting certain criteria, to submit workforce demographic data, including data by job category and sex and race or ethnicity, to the Equal Employment Opportunity Commission (EEOC).
- **Electronic deposit of taxes:** Dealerships generally must use the Electronic Federal Tax Payment System.
- **Electronic records retention:** Revenue Procedure 98-25 explains IRS requirements for retaining computerized accounting records.
- **Emergency-response planning:** Federal, state and local laws require dealers to have emergency-response plans.
- **Employee drug testing:** Unionized dealerships must bargain with unions before implementing employer drug policies (not

necessary for pre-employment drug testing). The ADA prohibits employers from discriminating against employees or applicants who have completed or are currently undergoing drug treatment, as long as they aren't currently abusing drugs.

- **Employee Polygraph Protection Act:** Prohibits dealerships from using polygraphs in pre-employment screening; allows use in limited cases where an employee is reasonably suspected of a workplace incident involving economic loss to the employer.
- **Employee Retirement Income Security Act (ERISA):** Dealers offering retirement or health plans must, among other things, provide employees with plan information, keep records and abide by fiduciary responsibilities.
- **Employment verification rules:** Dealerships must verify the employment eligibility of prospective new employees using I-9 forms and proper support documentation. Use of E-verify is optional.
- **Equal Pay Act:** Prohibits wage discrimination on the basis of sex.
- **Estate tax:** The estate tax limit for 2023 is \$12.92 million, and is adjusted annually for inflation. The annual gift exclusion is at \$17,000, with lifetime gifts beyond the annual exclusion counting toward the \$12.92 million combined estate/gift tax exemption. For 2024, based on inflation, the annual gift exclusion is expected to increase to \$18,000, while the lifetime estate and gift tax limit for 2024 is expected to increase to \$13.61 million. The IRS had not finalized the estate tax limit at the time of publication.
- **Family and Medical Leave Act (FMLA):** Dealerships must post a notice informing employees of their right to take unpaid personal and family medical leave and must comply with appropriate requests for such leave. Special provisions apply to leave related to military service.
- **Federal child-support enforcement regulations:** Requires states to govern liens put on personal property—including vehicles—for overdue child support. Dealerships should check that child-support liens don't exist on used cars, and must place liens on wages of employees who are delinquent on child-support payments.
- **Federal Civil Rights Act:** Bars employment discrimination on the basis of race, sex, color, religion or national origin. Prevents employers from asking job applicants certain questions (such as age, marital status or childbearing plans). Prohibits workplace sexual harassment, including behavior that creates a hostile work environment.
- **FTC Repossession Rule:** Requires formal accounting of money collected for repossessed vehicles.

- **Federal wage-hour and child labor laws:** Address minimum-wage and overtime pay mandates and exemptions as well as standards for employing minors, including teen driving restrictions. Federal minimum wage is \$7.25 per hour; state and local minimum wage rates may be higher.
- **Genetic Information Nondiscrimination Act:** Prohibits discrimination based on health-related employee DNA information.
- **Health Insurance Portability and Accountability Act:** Generally prohibits health insurers from denying coverage to workers who lose or change jobs and bars insurers from excluding coverage for pre-existing conditions for more than a year.
- **IRS/DOL worker classification:** Dealers must determine whether their workers are employees or independent contractors. The IRS and the Department of Labor use multi-factor legal standards and tests to evaluate this question. When making worker-classification decisions, dealerships should be conservative and prepared to document their decisions. Of greatest importance: the level of control employers exercise over workers as measured by the means and manner of the work performed. The IRS Voluntary Classification Settlement Program encourages employers to admit past worker misclassifications.
- **IRS treatment of demo vehicles:** Revenue Procedure 2001-56 offers dealers alternative methods for determining the value of demo use by qualified salespeople and other dealership employees. It defines what constitutes limited personal use and streamlines recordkeeping requirements.
- **IRS treatment of tool plans:** Tool and equipment plans for service technicians and other employees must comply with the IRS requirements for business connection, substantiation and return of excess payment.
- **Mail, Internet or Telephone Order Merchandise Rule:** When you advertise merchandise that can be ordered by a buyer over the phone or internet for shipment to that buyer, you must either: (a) state when the merchandise will be delivered, or (b) if you make no shipment statement, you must have a reasonable basis for believing that you can ship within 30 days of a completed order. If, after taking a customer's order, you learn you cannot ship within the time stated or 30 days, you must: (a) seek the consumer's consent to a delayed shipment, or (b) if no consent is obtained, promptly refund all the money the customer paid.
- **Mandatory workplace posters:** Notices, such as "Your Rights Under the FMLA," "Equal Employment Opportunity Is the

Law,” “Federal Minimum Wage” and “Notice: Employee Polygraph Protection Act,” must be conspicuously displayed.

■ **Mental Health Parity Act:** Requires insurers and large health plans to offer mental illness coverage comparable to that for physical illness and to set dollar limits on mental health care comparable to that for general medical and surgical services. The ACA generally mandates minimum mental health coverages.

■ **Miscellaneous recordkeeping requirements:** A multitude of requirements govern the length of time records must be maintained. Examples: Notification forms for underground storage tanks must be kept indefinitely; and copies of Form 8300 cash reports must be kept for five years.

■ **National Labor Relations Board (NLRB) unionization rules:** Govern unionization activities, including employee rights, election rules, postings and unfair labor practices.

■ **Newborns’ and Mothers’ Health Protection Act:** Employers and insurers must provide minimum hospital-stay benefits.

■ **OSHA Blood-Borne Pathogens Rule:** Dealerships more than four minutes from an emergency health facility must have a program to respond to employees who suffer cuts. All dealerships must have adequate first-aid kits.

■ **OSHA injury and illness recording and reporting requirements:** Dealers with 10 or more employees are required to maintain a yearly log of work-related injuries and illnesses on OSHA Form 300. Dealers must also complete a report on each workplace injury or illness that occurs using OSHA Form 301. Even if no injuries or illnesses have occurred in a calendar year, all dealers with more than 10 employees must fill out and post an annual summary of work-related injuries and illnesses on OSHA Form 300A. Dealers also must report the following events to OSHA: all work-related fatalities; all work-related inpatient hospitalization of one or more employees; all work-related amputations; and all work-related losses of an eye. Heavy-duty truck dealerships with 20 to 249 employees per establishment also must electronically submit OSHA Form 300A. Both heavy-duty truck and light-duty car dealerships with more than 250 employees per establishment must electronically submit OSHA Form 300A.

■ **Pregnant Workers Fairness Act:** Requires covered employers to provide reasonable accommodations to a worker’s known limitations related to pregnancy, childbirth or related medical conditions, unless the accommodation would cause the employer an undue hardship.

■ **PUMP for Nursing Mothers Act:** Requires employers to provide reasonable break time for employees to express breast milk for their nursing child and place to pump at work, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public. These accommodations must be provided for one year after the child’s birth and be available each time an employee needs it.

■ **Section 179 expensing and bonus depreciation:** Generally, businesses can expense qualified Section 179 property, subject to phaseout. The total Section 179 deduction limitation is \$1.16 million for 2023. As of January 1, 2023, bonus depreciation reduced to 80% of applicable asset cost and will reduce by an additional 20% per year until it reaches zero in 2027. The IRS had not finalized the Section 179 deduction limit for 2024 at the time of publication.

■ **Uniformed Services Employment and Reemployment Rights Act (USERRA):** Governs the employment and reemployment rights of members of the U.S. uniformed services.

■ **Walking-working surfaces and fall protection rule:** Must implement practices to prevent slips and falls, including personnel training and facility inspections.

■ **Worker Adjustment and Retraining Notification Act (WARN):** Dealerships must give 60 days’ notice to workers before termination or store closings under certain circumstances.

All Departments (Customer)

■ **Americans with Disabilities Act (ADA):** Prohibits discrimination against the physically handicapped in areas of public accommodation. Must make reasonable accommodations to facilities, such as by installing ramps, and accessible parking spaces, drinking fountains, public toilets and doors.

■ **CAN-SPAM (Controlling the Assault of Non-Solicited Pornography and Marketing) Act:** Emailers must identify a commercial message as an advertisement or solicitation and provide their physical postal addresses and a mechanism to opt out of future commercial emails. If recipients opt out, senders must stop sending them commercial email within 10 business days. The disclosure requirements don’t apply to emails that relate to transactions or relationships, such as those containing exclusively warranty information or recall-repair messages, or messages related to the completion of transactions requested by the consumer. No one may send commercial emails to wireless devices without recipients’ express prior authorization. So that senders can rec-

ognize wireless addresses, the FCC maintains a list of wireless domain names at fcc.gov/cgb/policy/DomainNameDownload.html. Commercial emailers must check the list monthly. (Additional provisions prohibit deceptive headers, misleading subject lines and other spam tactics.) A text message may also be considered an email and therefore subject to the CAN-SPAM Act if it is sent to an email address—that is, if it has an internet domain name after the “@” symbol (whether the email address is displayed or not). This means that no commercial text message (deemed to be an email) may be sent to a wireless device without “express prior authorization.” Merely having an “established business relationship” with the recipient is not enough.

■ **Consumer Review Fairness Act (CRFA):** Effective March 2017, the CRFA voids any “Form Contract” that seeks to impede consumer reviews and makes it unlawful for a person to offer such a form contract to consumers. In particular, it prohibits provisions in form contracts that (1) restrict a consumer’s ability to communicate reviews or performance assessments about a seller’s goods, services or conduct; (2) impose a penalty or fee on a consumer who engages in communications of that nature; or (3) require people to give up their intellectual property rights in the content of their reviews.

■ **Driver’s Privacy Protection Act:** Prohibits access to personal information in state motor vehicle records except for limited purposes, such as driver safety, theft and recalls. Also restricts the release or use of personal info for marketing.

■ **Electronic Funds Transfer Act (EFTA):** EFTA and its implementing “Regulation E” govern a variety of electronic transactions. Certain provisions of Regulation E apply directly to any “person” that engages in certain activities or transactions, regardless of whether the person is a financial institution. Examples of such transactions include: issuing access devices (such as debit cards, personal identification numbers [PINs] or payroll cards); issuing or selling gift cards; initiating electronic check conversions; preauthorizing electronic fund transfers; or operating ATMs.

■ **FTC Guides Concerning the Use of Endorsements and Testimonials in Advertising:** In the “Endorsement Guides” the FTC lays out the principles for what should be avoided in the use of endorsements or testimonials by advertisers to avoid deception. Generally, the guides say the marketer must disclose any material connection between the marketer and the endorser. The FTC recently amended the

guides to include numerous additional examples of deceptive practices in advertising, including social media “influencers” and other online endorsements.

■ **FTC Privacy Rule:** Dealers must issue notices of their privacy policies to their finance and lease customers and, in some cases, to consumers when the dealer discloses nonpublic information about consumers to third parties. The rule also restricts disclosure of nonpublic personal information and requires dealers to contractually limit their service providers’ access to and use of that information. Dealers who correctly use an FTC model privacy notice receive safe harbor protection for the language used to describe their privacy policy.

■ **FTC prohibition against deceptive and unfair trade practices:** Section 5 of the FTC Act prohibits unfair and deceptive trade practices. For example, the FTC has found certain advertising practices to be deceptive, such as offering “50% OFF” the purchase prices of vehicles, but the discounted prices are only available to a very limited number of customers and the qualifications for receiving the discounted price are not prominently disclosed in the ad.

■ **FTC Safeguards Rule:** The FTC recently amended the Safeguards Rule to require a series of procedural, technical, training, policy and other requirements for dealers to ensure the security of consumer data. The deadline for compliance with the new rule was June 9, 2023. Dealers should review NADA guidance and consult with their advisors and vendors to ensure compliance. In addition, the FTC recently amended the Safeguards Rule to require financial institutions (like dealers) to report “security events” to the FTC. This rule was finalized in late 2023 and is expected to become effective in mid-2024.

■ **FTC Telemarketing Sales Rule (TSR):** Imposes many of the Telephone Consumer Protection Act (TCPA) restrictions (below) on dealers who telemarket across state lines. Requires dealers who sell or obtain payment authorization for goods or services during interstate phone calls to abide by the prohibition against numerous deceptive and abusive acts and to maintain certain records. Prohibits prerecorded telemarketing calls without a consumer’s express written agreement, requires such calls to provide a key-press or voice-activated opt-out mechanism at the outset of the calls, and requires the calls to ring for 15 seconds or four rings before disconnecting.

■ **FTC warranty rules:** The Disclosure Rule mandates disclosure requirements for written warranties and requires simple lan-

guage in a single document. The Pre-Sale Availability Rule details the methods by which warrantors and sellers must provide warranty terms before a sale. The E-Warranty Act allows warrantors to comply by posting warranty terms to a website, as long as the warrantor also provides consumers with a non-internet-based method to obtain warranty terms, and allows sellers to use electronic methods to provide consumers with warranty terms pre-sale.

■ **IRS Cash-Reporting Rule:** Dealers receiving more than \$10,000 in cash in one transaction or in two or more related transactions must file IRS/FinCEN Form 8300 with the IRS within 15 calendar days and must provide written notice that the report was filed to the person named in the report by January 31 of the following year. “Cash” includes certain cashier’s checks, traveler’s checks, money orders, bank drafts, and, beginning January 1, 2024, “digital assets” (cryptocurrency). Also, beginning January 1, 2024, businesses that file 10 or more information returns are required to electronically file (e-file) Form 8300 instead of filing a paper return if they are mandated to e-file certain other information returns, such as the series 1099 and W-2 forms. For those with fewer information returns, e-filing Form 8300 is still optional. To file Form 8300 electronically, a business must set up an account with the Financial Crimes Enforcement Network’s BSA E-Filing System. This new requirement follows final regulations amending e-filing rules for information returns, including Form 8300.

■ **Magnuson-Moss Act:** Dealers must give consumers certain information on warranties and service constraints. Warrantors are generally prohibited from requiring customer-pay service to be performed at a dealership as a condition of a vehicle warranty.

■ **Office of Foreign Assets Control (OFAC) restrictions:** Dealerships may not enter into transactions with certain sanctioned countries, governments, or specially designated organizations and individuals. Dealers should check the electronic list maintained by OFAC to ensure compliance.

■ **Telephone Consumer Protection Act (TCPA):** Requires express written consent prior to any text message or prerecorded or autodialed telemarketing call to a cell phone. You cannot send any text message whatsoever to a cellular telephone number—solicitation or not, whether the number is on a do-not-call (DNC) list or not—using an “autodialer” unless you have the called consumer’s “prior express consent.” The act imposes national and company-specific DNC rules, calling-time

restrictions, caller ID requirements, fax advertising rules, and restrictions on the use of autodialers and prerecorded messages. Fax ads may be sent only to authorized recipients and must include a phone number, fax number and toll-free opt-out mechanism (each available 24/7) on the first page of the fax ad. The FCC considers text messages to be “phone calls” under the TCPA. Do not send text-message “solicitations” to phone numbers on the national DNC list (subject to the “established business relationship” and “prior express permission” exemptions to the national DNC rules) or your company-specific DNC list (to which there are no exemptions). See additional text-message restrictions under “CAN-SPAM Act.”

■ **USA PATRIOT Act:** Dealers must search their records and provide information about individuals or entities with whom they conducted transactions or created accounts if requested by the federal Financial Crimes Enforcement Network. Dealers are currently temporarily exempt from the law’s anti-money-laundering program requirements.

New- and Used-Vehicle Sales Departments

■ **American Automobile Labeling Act (AALA):** New cars and light trucks must have a domestic-parts content label showing percentage of U.S. or Canadian parts; countries contributing more than 15% of the parts; origin of engine and transmission; and location of vehicle assembly. Dealers must ensure that labels remain on vehicles until sold.

■ **Corporate Average Fuel Economy (CAFE) and Greenhouse Gases (GHGs) rules:** NHTSA CAFE and EPA GHGs rules govern the fuel economy performance of all light-, medium- and heavy-duty vehicles, which affects their design, performance and cost. EPA also governs the use of alternative technologies and fuels.

■ **Diplomat vehicle purchases:** The State Department’s Office of Foreign Missions must approve a diplomat’s vehicle purchase before a tax exemption request may be honored.

■ **DOE/EPA gas-mileage guide:** Dealers must make this guide available to prospective new-vehicle buyers upon request. Download the guide from fuelconomy.gov.

■ **Federal bankruptcy law:** Dealerships should perfect security interests within 30 days after a customer takes possession of a vehicle, regardless of state law. Otherwise, if the customer files for bankruptcy within 90 days of when the financing agreement is signed, the bankruptcy trustee may avoid

the lien. Dealerships failing to perfect liens in a timely manner may be liable for losses.

■ **FTC Cooling-Off Rule:** Gives consumers a three-day “cooling-off” period only for sales not consummated at a dealership. Does not apply to auctions, tent sales or other temporary locations if the seller has a permanent place of business. FTC guidance states that an online sale or delivery of a vehicle to a consumer does not implicate this rule as long as the sale is negotiated at the dealership or online, and that the only activity that takes place at the home are the administrative tasks of obtaining a signature and delivering the vehicle.

■ **FTC guidelines for fuel-mileage advertising and alternative-fueled-vehicle advertising and labeling:** Dealer and manufacturer fuel economy advertisements must state that the numbers are estimates and where they come from. Alternative-fueled vehicles must be properly labeled.

■ **FTC Used Car Rule:** “Buyers Guides” are required on all used vehicles offered for sale, disclosing whether the vehicle is offered “as is” or with a dealer warranty, other non-dealer warranty disclosures and service contract availability. Dealers must use the FTC-required Buyers Guide form.

■ **Gray-market vehicles:** EPA, NHTSA and U.S. Customs restrict the importation/sale of new and used vehicles.

■ **Heavy-highway-vehicle excise tax:** A 12% excise tax generally applies to the first retail sale of (1) truck chassis and bodies with a gross vehicle weight rating (GVWR) in excess of 33,000 pounds (Class 8); (2) truck trailer and semitrailer bodies with a GVWR in excess of 26,000 pounds (Classes 7 and 8); and (3) “highway tractors,” unless they have a GVWR of 19,500 pounds or less (Class 5 and under) and a gross combined weight rating of 33,000 pounds or less. Dealers selling Class 5 vehicles with more than 33,000-pound gross combined weight rating or Classes 6 or 7 vehicles should apply the “primary design” test to determine if a vehicle is a taxable tractor or a nontaxable truck.

■ **IRS treatment of salesperson incentives:** Factory incentives paid directly to salespeople by the factory are not required to be treated as wages for tax purposes. However, factories must report these incentives as taxable amounts to salespeople if \$600 or more.

■ **LIFO (last-in/first-out) inventory accounting method:** The use of the LIFO inventory methods must comply with the conformity requirement.

■ **Monroney sticker (Price Labeling Law):** Dealerships must keep stickers on new passenger cars showing the manufacturer’s

suggested retail price, plus other costs, such as options, federal taxes, and handling and freight charges. Stickers also include EPA’s revised fuel economy information and NHTSA’s NCAP revised crash-test star ratings. Dealerships that alter covered vehicles must attach a second label adjacent to the Monroney label, stating, “This vehicle has been altered. The stated star ratings on the safety label may no longer be applicable.” No size or form of this label is specified, but it must be placed as close as possible to Monroney labels on automobiles that (1) have been altered by the dealership and (2) have test results posted.

■ **Motor vehicle tax credits:** Customers may be eligible for up to a \$7,500 personal federal tax credit when they buy new qualifying plug-in electric or dedicated electric vehicles. The Inflation Reduction Act of 2022 significantly modified eligibility for this “EV Tax Credit.” It is now limited to vehicles assembled in North America (i.e., in the United States, Canada and Mexico) and, beginning January 1, 2023, is subject to critical minerals and battery component requirements, as well as MSRP and taxpayer income limits. Beginning January 1, 2024, buyers can transfer the amount of the credit to dealers at the time of sale for use as a payment on the purchase price. The IRS has issued guidance providing additional details on how to do this and how it will impact dealer obligations. Generally, however, dealers must register with the IRS to participate in the credit transfer program, but will not be required to verify purchasers’ income. The IRS guidance materials are available on NADA’s Clean Vehicles and Refueling Incentives webpage, which is accessible at <https://www.nada.org/ev-incentives>. Dealers should use caution when discussing the availability of this credit, and should ensure they do not provide legal or tax advice.

■ **NHTSA alteration and tire-placarding rules:** Significantly altered new vehicles must have labels affixed identifying the alterations and stating that they meet federal safety and theft standards. Tire-placarding and -relabeling rules require a new tire-information placard/label whenever parts or equipment are added that may reduce a vehicle’s cargo-carrying capacity, or when replacement tires differ in size or inflation pressure from those referred to on the original.

■ **NHTSA odometer rule:** Prohibits odometer removal or tampering and misrepresentation of odometer readings. Requires recordkeeping to create a proof of disclosure to the customer and odom-

eter disclosures on titles. Required disclosures may now be made electronically, consistent with state law. Vehicles with a greater than 16,000-pound gross vehicle weight rating and those 20 model years old or older are exempt, starting in 2021 for model years 2011 and later. Model years prior to 2011 are exempt from the 20-year disclosure requirement.

■ **NHTSA recall regulations:** New vehicles and parts subject to any safety recall, and used vehicles subject to “do-not-drive” safety recalls, should be brought into compliance before delivery.

■ **NHTSA safety belt/airbag deactivation:** Dealerships may install airbag switches for consumers with NHTSA authorization. Dealerships also must be responsive to consumer requests for rear-seat lap/shoulder safety belt retrofits in older vehicles.

■ **NHTSA tire regulations:** Rule requires proper replacement or modification of the tire-information labels when replacing tires or adding weight before first sale or lease. Also, customers must be given registration cards when buying new tires or the tires may be registered electronically. Other rules govern the handling and disposal of recalled new and used tires.

■ **School van sales:** Dealers may not sell, lease or give away large, new passenger vans with more than 10 seating positions if they know the vehicle will be used to transport students to or from school or school activities. Schools must purchase or lease a school bus or multifunction school activity bus for such purposes.

■ **Uniform capitalization (UNICAP):** Dealers who (1) “produce” property or (2) acquire property for resale if their average annual gross receipts over the three preceding tax years exceed \$25 million must comply with the UNICAP requirements contained in Section 263A of the Internal Revenue Code. Revenue Procedure 2010-44 creates two safe harbor methods of accounting, which dealers may elect by filing Form 3115 with the IRS, that generally permit dealers to expense, instead of capitalize, all handling and storage costs at certain dealership facilities. Although dealers use the two safe harbor methods, there may be some expenses that are subject to capitalization under the UNICAP rules.

F&I Department

■ **Dodd-Frank Financial Reform Law:** Dealers engaged in three-party financing are excluded from the authority of the Consumer Financial Protection Bureau and remain subject to regulation by the

Federal Reserve Board, the FTC (which has been given streamlined authority to declare dealer practices as unfair or deceptive) and state consumer protection agencies. Finance sources, including dealers who engage in BHPH financing, are subject to the bureau's jurisdiction. The Dodd-Frank law also created several new obligations for creditors, including additional disclosure requirements for risk-based pricing and adverse-action notices under the Fair Credit Reporting Act (Section-1100F). Plus, it contains a requirement to collect, report to the federal government, retain and make available to the public upon request certain data collected in credit applications from small, women-owned and minority-owned businesses. Dealers are temporarily exempt from this requirement pending promulgation of specific regulations.

■ **Equal Credit Opportunity Act (ECOA):** Regulation B prohibits discrimination in credit transactions based on race, sex, color, marital status, religion, national origin, age and public-assistance status. The government interprets this prohibition as applying not just to intentional discrimination, but also to credit practices that result in a negative "disparate impact" on consumers based on one of these prohibited factors. In addition, the dealer/creditor is required both to notify applicants in a timely fashion of actions taken—and reasons for denying—applications, and to retain certain records. (See also "Dodd-Frank Financial Reform Law," above, for a description of small-business loan data collection requirements.) An optional ECOA compliance program template is available to dealers at nada.org/faircredit.

■ **Fair and Accurate Credit Transactions (FACT) Act of 2003:** Amends the Fair Credit Reporting Act (FCRA) and provides consumers with tools to help prevent identity theft and enhance the accuracy, security and reliability of their financial information. Dealer duties include: responding to requests for records from victims of ID theft and to fraud and active-duty alerts on credit reports; disposal requirements for credit report information; opt-out disclosure formatting requirements for prescreened credit solicitations; truncating the expiration date and all but the last five digits on electronically printed credit and debit card receipts provided to purchasers at the point of sale; the Federal Reserve's Regulation FF restrictions on obtaining, using and sharing "medical information" in credit transactions; the FTC Red Flags Rule, which requires creditors and financial institutions to develop and imple-

ment a written Identity Theft Prevention Program that contains procedures to identify, detect and respond to "red flags" indicating the possibility of identity theft; the FTC Address Discrepancy Rule, which requires users of credit reports to develop and implement procedures to verify a customer's identity when receiving a "Notice of Address Discrepancy" from a consumer reporting agency; the FTC Affiliate Marketing Rule, which generally requires a business to offer customers the opportunity to opt out of receiving solicitations from the business's affiliates before affiliates may market to the customers; and the Risk-Based Pricing Rule, which generally requires initial creditors to issue either risk-based pricing notices to consumers to whom credit is granted but on relatively unfavorable terms, or credit score disclosure exception notices to all consumer credit applicants. Additional requirements apply to businesses that furnish negative information about consumers to consumer reporting agencies.

■ **Fair Credit Reporting Act (FCRA):** Dealers are restricted in their use of credit reports for consumers, job applicants and employees. Credit reports generally may be obtained only pursuant to consumers' written instructions or if consumers initiate a business transaction (not if they merely talk with salespeople). Dealers must give job applicants and employees a separate document informing them that a credit report may be obtained and must obtain prior, written authorization to access the report. Dealers generally may not share credit information with affiliates unless they give consumers notice and the opportunity to opt out. If dealers take adverse action based on the report, they must notify consumers and follow additional procedures with job applicants and employees.

■ **FTC Credit Practices Rule:** Dealers are required to provide a written disclosure statement to a cosigner before the cosigner signs an installment sale contract. Dealers cannot "pyramid" late charges (that is, add a late charge onto a payment made in full and on time when the only delinquency was a late charge on a previous installment).

■ **FTC Holder-in-Due-Course Rule:** Preserves the consumer's right to raise claims and defenses against purchasers of consumer credit contracts (with automobile sales, it protects consumers who buy vehicles from dealerships on credit). When dealerships sell credit contracts to lenders, consumers are obligated to pay the lenders instead of the dealerships. Under the rule,

if a dealership engaged in fraud or made misrepresentations in selling a car on credit, a consumer could raise the dealership's conduct as a defense against the lender's demand for payments. Dealerships must ensure that their credit contracts contain the precise disclosure required by the rule.

■ **Gramm-Leach-Bliley Act:** See "FTC Privacy Rule" and "FTC Safeguards Rule" under "All Departments (Customer)."

■ **Micro-Captives and Micro-Captive Arrangements:** IRS Notice 2016-66 identifies certain reinsurance arrangements as "transactions of interest" requiring taxpayer disclosure by the filing of Form 8886. While this requirement does not involve all reinsurance arrangements, the IRS may continue to scrutinize any transaction that shifts income from taxpayers to related companies resulting in tax benefits. The Tax Cut and Jobs Act of 2017 reduced the tax rate to 21% for domestic finance and insurance reinsurance companies, including small companies, electing to be taxed only on investment income and U.S.-taxed "controlled foreign corporations." The law makes significant changes involving non-controlled foreign corporations by expanding the definition of a U.S. shareholder and, most importantly, by changing the definition of a passive foreign investment company. These changes may decrease the ability of U.S. shareholders to defer the taxable income from these companies. A 6th Circuit Court of Appeals ruling enjoined the IRS from enforcing the disclosure requirements of IRS Notice 2016-66. The IRS has since proposed, but not finalized as of the date of this publication, a rule identifying certain transactions by PORCs as "listed transactions" and certain other transactions as "transactions of interest" that must be reported. The proposed rule contains a limited exception that could eliminate the reporting requirement for many traditional automotive reinsurance arrangements. Dealers should consult their tax advisors regarding the applicability of IRS Notice 2016-66, and the requirements of the proposed rule once it is finalized.

■ **Military Lending Act (MLA):** The MLA imposes duties and restrictions on certain types of consumer credit extended to active-duty service members and their dependents that is not covered by the motor vehicle financing exclusion, such as a motor vehicle financing transaction with an active-duty service member that includes a cash advance (i.e., "cashout" financing).

■ **Truth in Lending and Consumer Leasing acts:** Regulations Z and M cover consumer

credit and consumer leasing transactions, respectively, specifying information to be disclosed to a consumer before completing the transaction, and information to be disclosed when advertising consumer credit transactions or leases. For example, dealers who advertise a lease down payment or monthly payment amount must disclose in lease ads that the advertised deal is a lease; the total amount due at lease signing; number, amount and period (for example, monthly) of payments; and whether a security deposit is required.

Service and Parts Department

- **Clean Air Act:** Dealerships may not tamper with, replace or remove emissions-control equipment, such as catalytic converters. CFC recycling regs require dealership air-conditioning techs to obtain certification and to use certified recycling and recovery equipment to capture spent refrigerant, including HFC-134a and other non-ozone-depleting refrigerants. The act also regulates any fuels dealers store and dispense, and the alternative fuels motorists use, including gasohol. It restricts emissions from solvents and chemicals.
- **Clean Water Act:** Sets standards for regulation of wastewater and stormwater at dealerships and comprehensive rules governing aboveground oil storage tanks.
- **Department of Transportation (DOT) hazardous-materials-handling procedures:** Require parts employees who load, unload and package hazardous products, such as airbags, batteries and brake fluid, to be trained in safe handling practices.
- **FTC Used Parts Guide:** Prohibits misrepresentations that a part is new or about the condition, extent of previous use, reconstruction or repair of a part. Previously used parts must be clearly and conspicuously identified as such in advertising and packaging, and, if the part appears new, on the part itself.
- **IRS Core Inventory Valuation:** Revenue Procedure 2003-20 creates an optional method for valuing core inventories for those using the Lower of Cost or Market Valuation Method.
- **LIFO/FIFO inventory accounting method:** Revenue Procedure 2002-17 provides a safe harbor method of accounting that authorizes the use of replacement cost to value year-end parts inventory.
- **NHTSA tampering rules:** Prohibit dealerships from rendering inoperative safety equipment installed on vehicles in compliance with federal law.
- **NHTSA tire rules:** Dealerships must

report sales of defective tires when they are sold separately from vehicles, and must properly manage recalled tires.

- **OSHA asbestos standards:** Dealerships must use certain procedures during brake and clutch inspections and repairs to minimize workplace exposures. Water, aerosol cleaners or brake washers may be used to comply with the standard.
- **OSHA Hazard Communication (HAZCOM) Standard (right-to-know laws):** Dealers must inform employees about chemical hazards they may be exposed to in the workplace, keep chemical product information sheets on-site and accessible, and train staffers to properly handle the hazardous materials. Also, EPA's community right-to-know rules require dealers to list annually with state and local authorities tanks of more than 1,600 gallons.
- **OSHA lock-out/tag-out procedures:** Defines what service departments must do to ensure machines, including vehicles, are safely disengaged before being serviced.
- **OSHA workplace health and safety standards:** Extensive regulations cover a multitude of workplace issues and practices, from chemical labeling requirements to the number of toilets required. Example: Dealerships must determine if workplace hazards warrant personal protective equipment and, if so, to train employees on its use. Verbal or online reports must be made within eight hours of any incident involving the hospitalization or death of any worker.
- **Resource Conservation and Recovery Act (RCRA):** Comprehensive environmental law regulating many dealership functions, including underground storage tanks and the storage, management and disposal of used oil, antifreeze, mercury products and hazardous wastes, including some airbags. Underground tanks must be monitored, tested and insured against leaks; leaks and spills must be reported to federal and local authorities and cleaned up. The law also regulates new-tank installations. Dealers must obtain EPA ID numbers if they generate more than 220 pounds per month (about half of a 55-gallon drum) of certain substances; must use EPA-certified haulers to remove the waste from the site; and must keep records of those shipments. Used oil should be burned in space heaters or hauled off-site for recycling. Used oil filters must be punctured and drained for 24 hours before disposal.
- **Safe Drinking Water Act:** To protect underground drinking water from contamination, dealerships should avoid discharging waste liquids (such as used oil, antifreeze

and brake fluid) into septic system drain fields, dry wells, cesspools or pits.

- **Superfund (Comprehensive Environmental Response, Compensation, and Liability Act):** As waste generators, dealerships may be subject to Superfund liability. Carefully select companies to haul waste off-site. Dealers can deduct the cost of cleaning up contaminated soil and water in the year it's done. Dealers may qualify for an exemption from liability for sites involving used oil managed after 1993. The service station dealer exemption application (SSDE) requires dealers to properly manage their oil and to accept oil from do-it-yourselfers.
- **UNICAP:** See "New- and Used-Vehicle Sales Departments."

Body Shop

- **Clean Air Act (CAA):** National paint and hazardous air-pollution rules require reformulated, environmentally safer paints and finishes, special handling procedures, and recordkeeping.
- **EPA hazardous-waste rules:** See "RCRA" under "Service and Parts Department."
- **OSHA Hazard Communication (HAZCOM) Standard:** See "Service and Parts Department."
- **OSHA Respiratory Protection Standard:** Requires written programs describing how to select, fit and maintain respirators to protect body shop workers from hazardous chemicals.
- **OSHA workplace health and safety standards:** Extensive regulations affect body shops in many ways, including mandating the use and care of protective equipment such as face masks, gloves and respirators. Hex chrome standards limit air emissions during sanding and painting. (See also "Service and Parts Department.")
- **UNICAP:** See "New- and Used-Vehicle Sales Departments."
- **VIN and parts marking:** Dealers may not alter, destroy or tamper with vehicle identification numbers or antitheft parts-marking ID numbers and should use only properly marked replacement parts. ❖

Greg Cote, Dan Ingber, Kaye Lynch-Sparks, Paul Metrey and Brad Miller of the NADA Legal and Regulatory Affairs Department contributed to this guide. For more info, visit nada.org/regulatoryaffairs.

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West Building, Main Lobby
Livestreamed each day.

THE LIVE — AND LIVELY — BROADCAST STUDIO AT NADA SHOW

Presented in a compelling and fast-paced format, each 30-minute segment features acclaimed speakers, automaker execs and other auto-retail pros.



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BUYER'S GUIDE

NEW PRODUCTS & SERVICES

BY PETER CRAIG

MAINTENANCE NOTIFICATION APP

Elo GPS, Irvine, Calif., has CarRx vehicle maintenance software, which tips off dealership customers about service issues, such as low oil levels, tire pressure or battery power, directly through their smartphones. The app then allows the customer to schedule a date and time for the work. More at elogs.com or 855.465.4880. (Booth 7261N)



DIGITAL ASSISTANCE

Capital One Auto, Plano, Texas, has the Capital One Navigator Platform, a suite of digital tools that connect the in-person and digital worlds of car buyers and dealers. This program helps dealers meet buyers where they are in the process by providing consistent, transparent information throughout the purchase experience. More at capitalone.com or 877.383.4802. (Booth 4941W)

MAXIMIZING AD PERFORMANCE

Dealer Alchemist, Lone Tree, Colo., has CORe, which utilizes internet ads tailored to specific inventory to target potential buyers with matching vehicle choices, and features tailored data points for each dealership. The platform helps ensure that the advertising for each potential customer is up-to-date and active on internet advertising programs. More at dealeralchemist.com or 720.792.3003. (Booth 6643N)



VEHICLE SHOWCASE

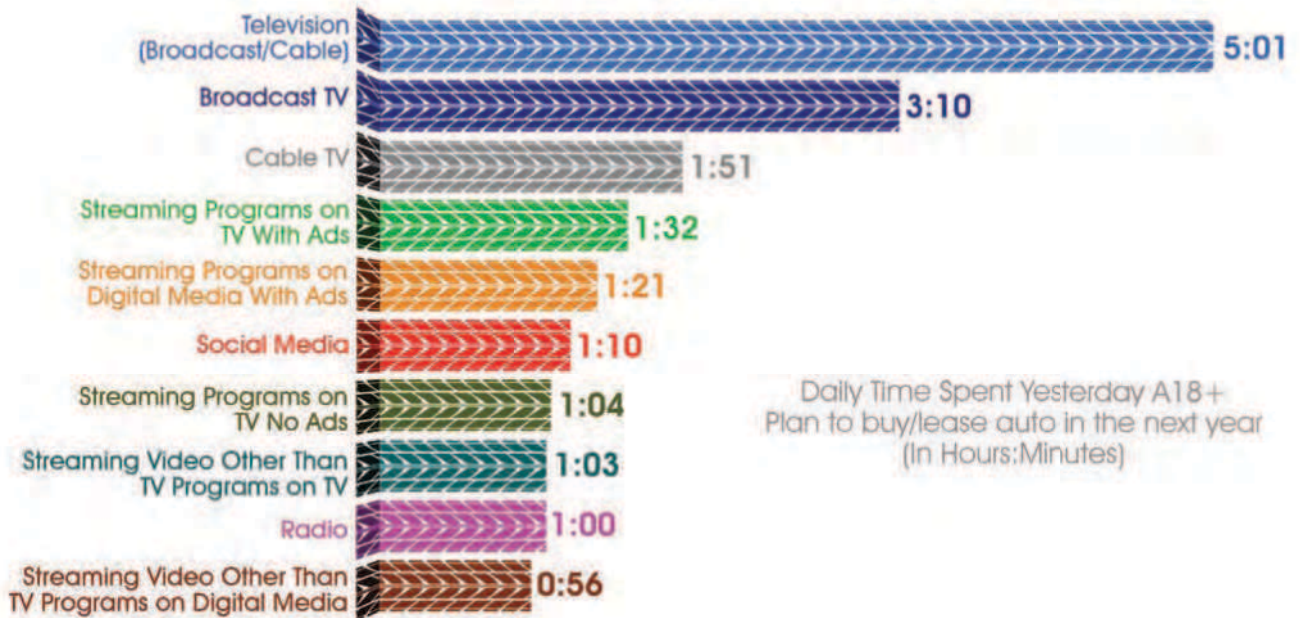
eBay Motors, San Jose, Calif., has the Premier Placement Program, a fixed-price subscription tool that lets dealers showcase their “digital parking lot.” Dealers buy “parking spaces” for one month and are able to change out inventory needed for increased inventory visibility, flexibility and convenience. More at ebaymotors.com or 866.eBay.Car. (Booth 2263W)

CUSTOMER COMMUNICATION AND TRACKING

Outsell, Minneapolis, introduces Dealer Group Solution to boost customer retention. The product leverages Outsell's powerful AI, datasets, marketing automation and individualized communications to help dealer groups connect with customers personally by drawing on customer records across all stores. More at outsell.com or 612.236.1500. (Booth 4801W)

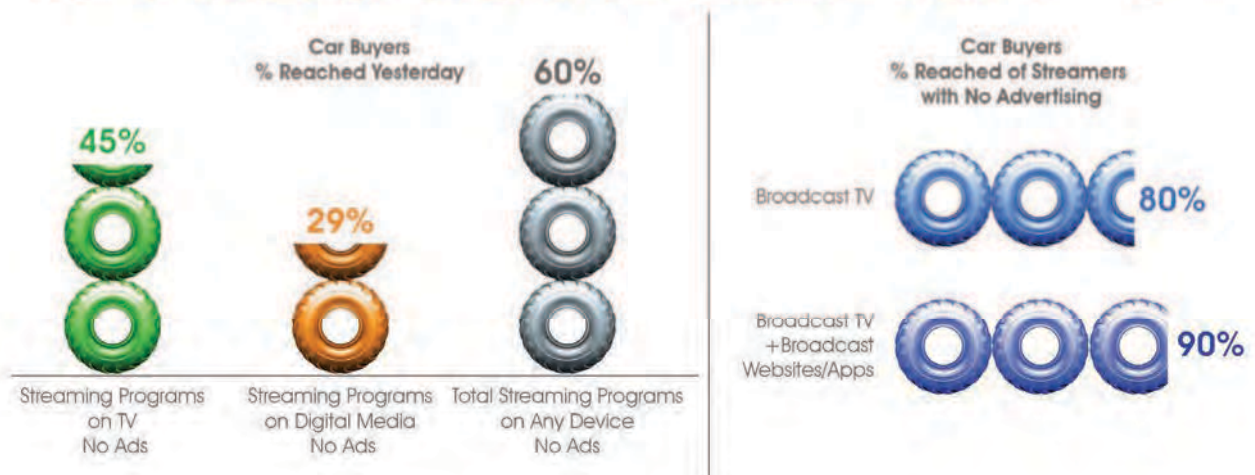


Of all ad-supported platforms **car buyers** spend the **most time** with **television**.



Source: GfK TVB Media Comparisons Study 2023. M-S 4A-2A. Persons 18+ Plan to buy/lease auto in next year: Yes. Top ten platforms; Online/internet platforms such as email, social media, internet radio and websites, are totaled for any online device-PC, Smartphone and Tablets.

60% of car buyers stream with **NO** advertising. Advertisers **cannot** reach these viewers – but **broadcast assets CAN reach 90%** of them.



Source: GfK TVB Media Comparisons Study 2023. M-S 4A-2A. Persons 18+ Car Buyers.

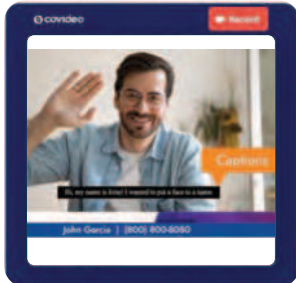


Learn more about TVB, the trade association for local broadcast TV, at tvb.org



INVENTORY MANAGEMENT

Lotlinx, Peterborough, N.H., has Lotlinx VIN Manager, a data-rich interactive inventory management platform that delivers customized optimization tools for dealers. Using machine learning and predictive technology, the product helps dealers cut inventory risk, speed up vehicle turnover and serve customers better. More at lotlinx.com or 800.625.5469. (Booth 1501W)



VIDEO MESSAGING

Covideo Dealer Services, Indianapolis, offers video messaging to engage customers. Dealers can record videos with the Covideo web or mobile app, or upload existing videos. Videos can then be shared via email, CRM or other means while tracking response. More at dealerservices.covideo.com or 800.306.1445. (Booth 6820N)

INVENTORY MANAGEMENT

Dealerslink, Broomfield, Colo., has an “all-in-one” solution to centralize inventory management using industry-leading data. Features include simultaneous dealer auction searches; more effective strategies for stocking, pricing and selling new vehicles; and better ways to recondition, appraise and market used vehicles. More at dealerslink.com or 844.340.2522. (Booth 4733W)



SERVICE CONTRACTS

AUTO LOANS

GAP TO 96 MONTHS

RIDE SHARE COVERAGE

APPEARANCE PROTECTION

LEASE WEAR AND TEAR

EMISSION / EXHAUST / ALL “GREEN” COVERAGE

BRAKE / FLUID / “EXCLUSION” COVERAGE

ELECTRIC VEHICLE COVERAGE

DENT & DING

UNLIMITED TIME AND / OR MILEAGE

F&I TRAINING / COMPLIANCE

GPS DEVICE INSTALLATION / SUBSCRIPTION



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UP FRONT DEALER FUNDING

TIRE & WHEEL

WINDSHIELD PROTECTION

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KEY COVERAGE

F&I PROFIT PROTECTION

GARAGE INSURANCE

LIFETIME COVERAGE

CERTIFIED PROGRAMS

TRUCK /COMMERCIAL COVERAGE

LIFTED TRUCK COVERAGE

MAINTENANCE

THEFT PROTECTION / RECOVERY

MENU INTEGRATION / E-RATING / CONTRACTING

CONTACT YOUR LOCAL AGENT OR OUR SALES OFFICE AT: INFO@CBAMONEY.COM OR 866.788.4343

CHARGING STATIONS

Blink Charging Co., Miami Beach, Fla., offers dealerships customized and integrated EV charging solutions. The Blink IQ 200 charger works with all EVs; ensures maximum charging speeds and reliability; and meets the power demands of the industry's most powerful batteries. More at blinkcharging.com or 888.998.2546. (Booth 6361N)



VEHICLE FLOOR PROTECTOR

WeatherTech, Bolingbrook, Ill., introduces FloorLiner HP, the next generation of the company's high-performance FloorLiner, to protect a vehicle's carpeted floors and all sides of the footwells. Made using Thermoplastic Elastomer (TPE) compound, FloorLiner HP is both soft and durable and custom-fits any vehicle make and model, with anti-skid nubs and underside texture to hold it in place. More at weathertechwholesale.com or 800.441.6287. (Booth 4521W)

COMMERCE PLATFORM

AutoFi, San Francisco, offers a commerce platform that lets buyers shop a dealer's website while receiving real-time lender offers, boosts the show rate by texting or emailing customers trackable deals, and allows the dealership team to work collaboratively and seamlessly. More at autofi.com or 314.455.7299. (Booth 5012W)



GETTING INVOLVED MAKES A DIFFERENCE

Senate Majority Leader Chuck Schumer (D-N.Y.) meets with Greater New York Automobile Dealers Association members.



Rep. Kat Cammack (R-Fla.) takes a selfie with House Speaker Mike Johnson (R-La.) and NADA Academy class.

Rep. Mariannette Miller-Meeks (R-Iowa) and Joe Krenzlok, district director, meet with Andy Hoffman and Peter Kautz of GTG Peterbilt.



Dealers must make sure their elected officials know what is important to their business, their employees and their local communities.

NADA is working to address legislative priorities important to dealers, including:

- Stopping EPA's proposed EV mandates, which go too far too fast
- Fighting the Federal Trade Commission's anti-dealer, anti-consumer Vehicle Shopping Rule
- Protecting state dealer franchise laws

We need your voice at this critical time for our industry!

Connect at the NADA Pavilion and find out how you can get involved.

NADA—THE VOICE OF THE DEALER ON CAPITOL HILL

Learn how you can help protect dealer interests in Washington, D.C.

- visit nada.org/grassroots
- stop by the NADA Pavilion/Legislative Affairs (booth #2101W) at NADA Show 2024
- email pratherk@nada.org



ADVERTISER INDEX 2024

DEALERSHIP MANAGEMENT SYSTEMS

PBS Systems (inside front cover)
pbssystem.com
Visit us at booth 4021W.

Reynolds & Reynolds (page 13)
Visit us at booth 2963W.

DEALER SERVICES

Digital Dealership System (back cover)
DigitalDealershipSystem.com
800.841.7084
Visit us at booth 4547W.

GoMoto (page 2)
Visit us at booth 3257W.

Gubagoo (page 11)
gubagoo.com
Visit us at booth 2941W.

Market Scan (page 9)
marketscan.com/nada
Visit us at booth 3131W.

NADA Foundation/Canine Companions
(page 43)
Attend the auction, Saturday, February 3,
noon, OpenLane, booth 3741W.

NADA Grassroots (page 64)
nada.org/grassroots
pratherk@nada.org
Visit us at the NADA Pavilion/Legislative
Affairs booth 2101W.

NADA Live Stage (page 60)
Visit us at West Building, Main Lobby.

NADA Retirement from Empower
(inside back cover)
nadasales@empower.com
Visit us at booth 2101W.

ReconTRAC (page 4)
Visit us at booth 3157W.

TVB (page 62)
tvb.org
Visit us at booth 7236N.

FINANCIAL

Ally (page 21)
888.919.2559
Visit us at booth 2541W.

C. Berman Associates (page 63)
cbamoney.com
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Visit us at booth 1257W.

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NADA

SHOW | 2025

NEW ORLEANS • JANUARY 23-26

BY JOE PHILLIPS

Next year, NADA Show heads back to New Orleans, one of the most popular destinations for dealer attendees. Renowned for its French Quarter, Mardi Gras and world-class cuisine, the Crescent City was founded over 300 years ago. There's a lot of history here, of course, from pirates and privateers to the pioneers of jazz. This is also the birthplace of poker (sorry, Las Vegas). As for NADA, the first time the Show was held in New Orleans was in 1936. And the first trade show ever held at the Superdome was NADA Show in 1977. This city and the auto industry have changed a lot since then. But the longtime love affair between dealers and the Big Easy remains as strong as ever.



1718

YEAR
NEW ORLEANS
WAS FOUNDED



1,400+

NUMBER OF
RESTAURANTS



DRAGO'S

10,800

NUMBER OF
CHARGRILLED OYSTERS
SERVED ON A BUSY
DAY AT DRAGO'S



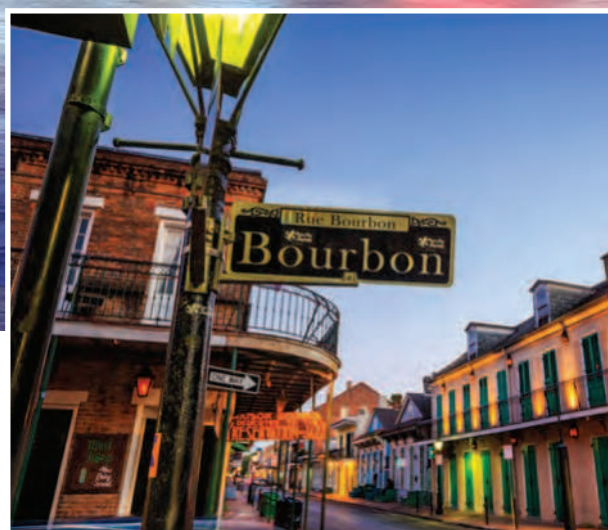
4,000+

ESTIMATED NUMBER
OF LIGHT FIXTURES
IN THE EXPO HALL



1 mile

APPROXIMATE
LENGTH OF
CONVENTION CENTER



NADA and N'awlins. Downtown New Orleans and the Mississippi River at twilight (above). Bourbon Street, in the French Quarter (right).

NADASHOW

FUTURE DATES

2025

January 23-26
THURSDAY-SUNDAY
NEW ORLEANS



2026

February 3-6
TUESDAY-FRIDAY
LAS VEGAS



2027

February 18-21
THURSDAY-SUNDAY
ORLANDO



2028

March 7-10
TUESDAY-FRIDAY
LAS VEGAS



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Our pit crew can help them reach the finish line!

NADA offers a custom 401(k) program that is designed for dealers and their employees.

Visit us in the NADA Pavilion, Booth #2101W

nadasales@empower.com

NADA Retirement

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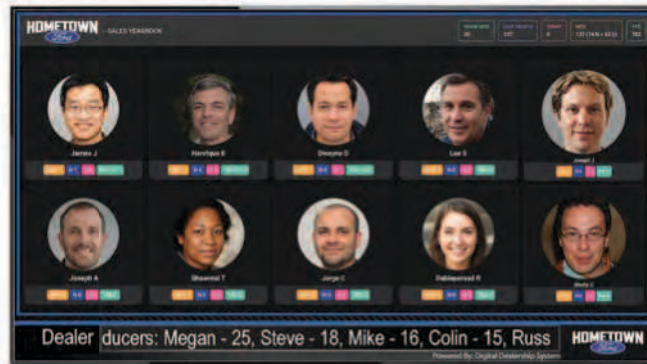
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