

JANUARY 2019



VOLUME 11 - ISSUE 1

# ON THE ROAD

THE OFFICIAL COMMUNICATION OF THE NEW JERSEY GASOLINE C-STORE AUTOMOTIVE ASSOCIATION  
[WWW.NJGCA.ORG](http://WWW.NJGCA.ORG)

\$5.95

## A Look Ahead To

# 2019

## 2018 Year in Review

Energy Examiner • Year in Gas Prices • NJGCA Young Professionals •  
Autonomous Vehicles • Member Memories



# GILLENERGY

Getting You There



**Mobil**



**CONOCO**



- Extensive network of company/dealer operations
- Rack supply contracts with Sunoco, BP, ExxonMobil and 76
- Lowest prices on unbranded fuel
- Equipment purchase programs
- Provide maintenance, station upgrade, environmental and financing support
- Engineering and Zoning Assistance for new sites

Gill Energy  
732-696-2201  
[www.gillenergy.com](http://www.gillenergy.com)

# NJGCA *ON THE ROAD* TABLE OF CONTENTS

- P. 4 - Message from the Executive Director
- P. 8 - You Have Older Tanks: What Options Do You Have For Replacing Them?
- P. 10 - Legislative Roundup
- P. 13 - NJGCA Young Professionals Turkey Drive Success
- P. 14 - NJGCA Defends Against Attack On New Jersey's Below-Cost Fuel Sale Prohibition
- P. 16 - Membership Memo
- P. 21 - Winter 2019 Training Class Schedule
- P. 22 - Energy Examiner
- P. 26 - Disruptions Coming To Your Business
- P. 28 - Member Memories
- P. 30 - The Year in Gas Prices
- P. 32 - Investments Worth Driving For
- P. 33 - A Look at a New "Path to Progress" For New Jersey
- P. 34 - Autonomous Vehicles in NJ: Distant Future or New Reality?
- P. 36 - Update on UST Regulations
- P. 38- \$ave with NJGCA MBPs



**NJGCA**  
4900 Route 33 West, Suite 100  
Wall Twp, New Jersey 07753  
(732) 256-9646 | [www.njgca.org](http://www.njgca.org)

## ABLE-TECH

### INFORMATION MANAGEMENT SERVICES

#### COMPUTERS & SOFTWARE

Specializing in  
gasoline, auto repair,  
& convenience stores

POS Interfaces

Barcode Scanning

Quickbooks  
Setup & Training

#### BUSINESS SERVICES

Bookkeeping Reviews

Theft Analysis

Inventory Control

Productivity and  
Efficiency Tools

Computer Training  
and Maintenance

#### VIDEO SYSTEMS

Internet Accessible

Sound Capability

Record & Search  
Cash Register  
Transactions

4 - 32 Cameras

New or Upgrades

call DAN GOFF

800 - 231 - 9969





## Message From Executive Director Sal Risalvato

# *Horrified But Enthusiastic*

I am sure that you all heard the joke about ambivalence (mixed feelings). Someone once told me how he had mixed feelings about watching his mother-in-law drive off a cliff in his brand new Cadillac.

Last October, right after the last issue of "On the Road" was in your mailbox, I was on a plane to Las Vegas for the annual Industry Week that combines the SEMA Show and the Tire Industry Show and AAPEX shows. Our national association, Service Station Dealers of America (SSDA) also held an annual meeting of the CEOs from each of the member states.

I have attended Industry Week now for two years in a row. Even when I owned my gasoline service stations, I was really not much of a gearhead and never had much enthusiasm for new technologies and souped-up cars. If anything, I have had much more enthusiasm since becoming Executive Director here at NJGCA 12 years ago. Why? I guess it is because my concern for your survival that requires me to make you aware of everything going on in the business and I try to look to the future for you.

My interest in the gas business was nonexistent until I opened my Exxon station in April 1978. Yep, that's 41 years ago. It is still hard to process all of the changes that have happened in the business. The marketplace is still the same. Competition is as fierce as it was then, so what has changed? Environmental issues. Labor and employment issues. Government regulations. As hard as it was then, I do think it is harder now to operate a gasoline retail or auto repair business. I left Las Vegas with much ambivalence. I was both horrified at what I see ahead in the auto industry, yet I was excited at the opportunities that bold entrepreneurs would get to experience.

I still firmly believe that anyone currently in this business, or entering this business will thrive and prosper if they are willing to work hard, be honest, invest and take risks, and most of all stay engaged and be a leader. Recently NJGCA communications repeat the same theme....DISRUPTION. I believe that those who either disrupt the business or are able to keep up with others who are disrupting will prosper.

I got in to this business as a wide eyed 20-year-old kid who knew nothing about what it would take to operate a gas station. I thought I could do this because my dad taught me how to change the oil on my 1967 Chevy Impala station wagon, which I did on drive up ramps in my garage. He also taught me how to change spark plugs and replace the brake shoes.

I even performed these services on friend's cars and thought I was a big deal. Where did Pop learn to do these tasks? In a high school auto shop class 25 years earlier. Do you think someone could enter this business today with only that kind of automotive experience?

Even the gas side of the business didn't intimidate me then. I was too naive to consider what faced me in the world of oil company tactics, employment difficulties, marketplace competition, and environmental regulations. As naive as I was, I was never faced with the volume and magnification that these issues burden young entrepreneurs today. Hey, I wanted to be a chef! How did I detour from food to cars?

So what had me so horrified when I left Las Vegas? The single biggest issue that makes me fear for members in the future is this: finding, hiring, and retaining qualified employees.

Each sector of the businesses that NJGCA represents has experienced a growing difficulty hiring competent and responsible employees. Yes, the difference between hiring gas attendants is different from hiring technicians, but the result is the same. If you don't have a competent person to serve your customers at the gas pump, you are in the same boat as the shop owner who can't find a competent person to fix his customer's cars.

The technology that is driving straight at us at a much faster speed than originally thought will exacerbate the problem. I attended a number of forums in Vegas that included panelists from car manufacturers, parts manufacturers, technical schools, and shop owners. The level of concern is one of crisis and borders on panic. When even the car manufacturers are saying that they can't find qualified technicians to work in their dealerships, then I become horrified. All agreed that this problem exists because not enough young people aspire to become auto technicians, and those that do aren't graduating high school with the necessary skills to be technically trained at the level that is now required for today's or tomorrow's automobiles.

The fact that these difficulties exist in your world is exactly what creates my ambivalence. What makes me feel horrified also makes me feel encouraged and enthusiastic. These and other not yet seen problems will always exist and arise. It is how you rise to meet the challenge that they create that will determine the success and prosperity that you find in this business. I reflect on many of you who I have come to know and am familiar with. I know firsthand how many of you run your businesses. I believe that many of you will



do what is necessary to perform the required training, and to compensate your technicians accordingly. I believe that those who make commitments to run superior shops with highly trained technicians will thrive at the expense of shop owners that do not make the same commitment.

Cars will always need to be fueled and cars will always need to be repaired. Yes, many shops will close, but the customers will still remain. I foresee shops making enormous profits because they will be able to charge the true value of their services. Even smaller shops will thrive. Yes, they will only be able to service a smaller number of customers, but their services will be in great demand and they will command compensation that equals their service. Has anyone tried to get a plumber for simple services such as unclogging a pipe? Or replacing a faucet? The skills for these tasks do not rise to the level of technical expertise that is required to fix a car, yet a plumber receives 100 bucks just to come to your front door. Have you needed an electrician? Do you need an outlet replaced? Would you like to add some lighting in your garage? What are the charges for these services? You pay a high price because there are not enough plumbers or electricians. That is where we are heading in the auto repair business, so make the commitment to your shop and to your customers. Make the commitment to your technicians. Make the commitment to train your techs with superiority. I expect that NJGCA will be rolling out some options to help you train your current techs, and also FIND new techs. Will it be costly? Cost is relative and I don't know what you would consider costly. Yes, it will have

an expense, but will it be costly if you don't engage in a higher level of training? Most definitely! Will it be costly if you don't make a higher commitment to your shop and to your customers? Yes, not making the commitment to your shop and commitment to train your techs will probably be the ultimate cost.

So that sums up my ambivalence. I am excited, optimistic, and enthusiastic for those of you who rise to meet these challenges, and I am horrified for those who do not. All businesses constantly are faced with the same periods of change and challenge. Think about it, the more things change, the more they stay the same and are exactly the same as when I opened my Exxon station in 1978.



## ARE OIL PRICES SUCKING YOU DRY?

TAKE ADVANTAGE OF THE GREAT PROGRAM THAT PPC LUBRICANTS HAS PUT TOGETHER ESPECIALLY FOR NJGCA MEMBERS.

LEARN MORE ABOUT...

- DRIVING NEW CUSTOMERS TO YOUR REPAIR FACILITY
- IMPROVING CUSTOMER RETENTION AND SATISFACTION
- CONSUMER INCENTIVES AND PROMOTIONS

**\*NJGCA Members report saving over \$2,000/year\***

Contact Gene Nace  
Phone: (717) 215-7253  
[gnace@ppclubricants.com](mailto:gnace@ppclubricants.com)







# Oil-Dri Recommended Safety products for New Jersey Service Station-Repair Center emergencies regulations-response training program for Class A,B and C Operators



## Oil-Dri Universal 20 Gallon Spill Kit (L90410)

Universal 20 Gallon Spill Kit contains: 10 Universal Bonded Pads, 4 'Super' Socks (48" L), 1 'Super' Sock (120" L), 2 'Super' Pillows, 3 Disposal Bags with Ties, Emergency Response Guide Book.



Item L90410: Packed and shipped in 20 Gallon Overpack.

## Oil-Dri Granular Absorbents (I06032, I01128, I05025)

Use these all-purpose granular absorbents on oils, coolants, grease, water, and other spills.



Item I06032: 32 qt. Oil-Dri Premium Absorbent  
 Item I01128: 32 qt. Absorbs-It Absorbent  
 Item I05025: 25 lb. Quick-Sorb Fine Absorbent

## OIL-DRI 5-Gallon Bucket Spill Kit (L90435)

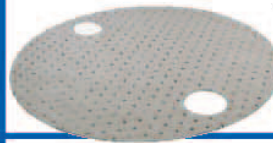
Small enough to keep on hand where quick response is a must. Use socks to contain the spill, pads to absorb it, and disposal bags to safely dispose of it. Packed in a reusable pail for convenient self-contained storage.



Item L90435: 1kit/pail

## OIL-DRI® Universal Drum Top Pads (L90725)

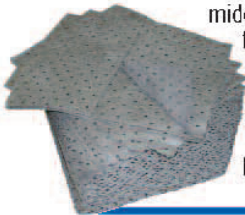
Keep 55 gallon drums clean and neat with Universal Drum Top Pads. Strong and durable to stand up to any and all fluids that leak from pumps and dispenser cans.



Item L90725: 10 pads/box

## OIL-DRI® Universal MW Pads (L91001)

Bonded layers and cover stock provide added strength to excellent absorption power of these middle weight pads. Absorb all fluids including acids, bases, oils, hydraulic fluids, and general spills. Packaged in boxes for convenient use and storage.



Item L91001: 100 medium duty pads/box

## OIL-DRI® Garage Guard (L90695)

Protect floors and reduce slippage. These industrial rugs absorb oils, coolants, grease, water, and other spills – and won't allow liquid to penetrate it's industrial strength poly backing. Won't rip or tear – even when saturated!



Item L90695: Seven 3'x5' rolls / display pail

### Participating Oil-Dri Distributors for Product Placement

Hough Petroleum  
(609) 771-1022

Dana Automotive  
(973) 667-1234

Buy Wise Auto Parts  
(800) 672-1909

Loeffel's Waste Oil Services  
(973) 948-4300

**NJGCA 4900 Rt 33W Suite 100 Wall Township, New Jersey 07753 (732)-256-9646**



# YOU ASKED, NJGCA ANSWERED

If you own a gas station: You MUST have Class A/B Operators that train Class C Operators. Part of the training and NJDEP requirements is that you have trained your Class C Operators on how to respond to an emergency spill.

Members have reached out to NJGCA for help in finding the best spill kits available. NJGCA worked with Oil-Dri to put together a program with options that help you meet OSHA, EPA, and NJDEP safety and spill regulations.

You can use the spill kit right on your island for quick use and best practices. This product also allows you to check off on your **Class C UST Operator Training Site Checklist** that you have shown your Class C Operator the locations and proper identification of the Emergency Spill Kit. You can find this checklist at [www.njgca.org/usts](http://www.njgca.org/usts).

**You can purchase this product through the following vendors:**

**Buy Wise Auto Parts**  
800-672-1909

**Dana Automotive**  
973-667-1234

**Hough Petroleum**  
609-771-1022

**Loeffel's Waste Oil  
Services**  
973-948-4300



# You Have Older Tanks: What Options Do You Have For Replacing Them?



By: Debbie Hill

I was recently assisting a member that had “older tanks” that were over 30 years old. They wanted to know if there were other options for keeping the “older tanks” in service. A petroleum contractor suggested they look into installing a “tank-in-tank” design, or “re-line” their “older tanks” to get more years of them. This was not the first time I have had this conversation with a member. I reached out to a petroleum contractor who is a member of NJGCA, and one of our Member Benefit Partners, Salomone Brothers:

## From John Lynch of Salomone Brothers, Inc:

A true tank-in-a-tank option (Containment Solutions ReTank®) is costly and will reduce holding capacity. Since a tank-in-a-tank requires you to cut an opening in the top of the existing tank, it is not likely an option for high water table locations unless dewatering occurs.

Existing tanks must meet specific requirements to be a candidate for a tank-in-tank or Retank® - deflection in addition to recent passing precision tank tests. The NJDEP may require the property owner to drill a hole in the bottom of the existing tank to obtain soil samples, in sites with the water table above the bottom of the tanks this will cause an installation issue. The tanks will need to be emptied, triple cleaned, and defumed.

OSHA rules on confined space entry will require that a confined space entry rescue team be notified and be available (on call) during the tank entry. If a confined space rescue team is not readily available you will need to hire one while the tank entry occurs.

The costs associated with excavating to the top of the tank and the costs associated with the OSHA confined space entry rules are typically not included in the tank in a tank proposal.

Some tank-in-a-tank options may not provide a true double-wall tank upon completion.

A tank-in-a-tank will not address containment sumps and/or tank top configuration issues and will typically carry a 10 year warranty.

A ReTank® or tank-in-a-tank should only be used when all other options are not feasible, i.e. tanks are located within close proximity to a structure that cannot be properly supported as determined by a professional engineer. It should not be considered as a money saving option as it will more than likely cost more than a typically replacement.

Tank Lining should be used on AST's only, end of story.

## Additional Comments from Debbie:

Insurance Companies will still use the original manufactured and/or installation date of the original tank holding the new tank-in-tank design or Tank Lining, “defeating” the cost of saving money on the insurance.



For over 41-years, the petroleum industry has associated the  name with building and maintaining high quality service stations.

The name that you have come to trust is now proud to offer

## Tank Testing and Environmental Compliance Services



One call does it all... (973) 305-0022



[www.salomone.com](http://www.salomone.com)

Compliance with EPA, NJDEP, NFPA - Fully licensed and insured.

**"Testing with Integrity"**



## Legislative Roundup

# Important Issues Affecting Your Business

By: Eric Blomgren

### MINIMUM WAGE INCREASE

On January 1, 2019 the state's minimum wage increased to \$8.85 an hour for all employees. If you have any employees earning less than that rate please ensure that you inform your payroll company to increase their wage, as the company will not do so without your authorization.

The fight over the \$15 minimum wage heated up in December after a months-long lull. Gov. Murphy campaigned heavily on this issue and the leaders of the two houses of the Legislature—Senate President Steve Sweeney and Assembly Speaker Craig Coughlin—both endorsed it last year. Many expected this issue to have been signed into law back in the spring, but almost a full year into Governor Murphy's tenure it still has not moved. Advocates on the left want the wage increased to \$15 an hour with no exceptions, and want it phased in as fast as possible, ideally by the end of the Governor's first term (January 2022). Many legislators are concerned about the impact the wage increase will have on a variety of different types of businesses, and are considering longer phase-ins and limited exclusions.

In December, Speaker Coughlin introduced his proposal, A-15, which Sen. Pres. Sweeney spoke very favorably of. Labor advocates thought it was too tilted in favor of business interests, and business groups still thought it went too far. The bill would increase the minimum wage to \$9.50 on July 1, 2019, \$11 on January 1, 2020, and then increase the wage every January 1st until it hits \$15 in January 2024. A few groups will be given a longer phase-in. Businesses with fewer than 10 employees, farm workers, seasonal businesses, and those under the age of 18 would not see the minimum wage rise to \$15 until January 2029. No matter what, the minimum wage will continue to increase every January based on increases in the Consumer Price Index (CPI). It also creates a very limited training wage. The main issue with the small business exemption is that it is unlikely businesses would be able to actually offer that wage. The law may allow a cashier to earn \$12 an hour, but if several other businesses nearby are offering the exact same position with a minimum wage of \$15 it seems unlikely the position can be filled unless the starting salary is also very near \$15.

The Governor and both legislative leaders met to discuss this issue not long after A-15 was introduced and "made significant progress." It is likely they will come to an agreement amongst themselves very early in 2019.

### WORKFORCE DEVELOPMENT

Finding qualified and competent technicians is increasingly

one of the biggest challenges for an auto repair shop. With modern vehicles as complicated as they are, young people need more and better training to enter the field, and they need to be made aware that they can earn a good living as a technician. NJGCA has supported several pieces of legislation recently that would enhance the state's workforce development. S-1887 would create a program to get unemployed and underemployed individuals through a technical education program within twelve months. It passed the Senate 39-0 in September. S-3061 would give tax credits to businesses that participate in a DOL apprenticeship program, S-3063 would wave some tuition fees for low income students entering apprenticeship courses, and S-3065 would create a youth apprenticeship program for those between the ages of 16 and 21. These three bills passed the Senate Labor Committee in December. Finally, NJ voters passed the "Securing Our Children's Future Bond Act", which authorizes \$500 million in new bonds, most of which will be used to expand the state's vocational-technical schools and county colleges. In 2017, there were 2.3 applicants for every one available spot at vocational schools, leaving 17,000 students interested in technical educational without a place to go. NJGCA has supported all of this legislation.

### VAPING CHANGES

The new tax on vaping liquid went into effect in September. Wholesalers are now collecting 10¢ per milliliter of nicotine-containing fluid. Be warned that if you import any fluid from out of state, and the wholesaler did not collect the tax for you, then you are responsible for paying the tax directly to the State. Some vape store owners are pushing for the tax to be changed to an across the board 3.5% tax collected and paid by retailers, a change NJGCA opposes. In November, the FDA took serious action regarding vaping. Rumors swirled that they were about to ban certain types of vaping products, possibly only at convenience stores, in order to attempt to crack down on underage usage of these products. Before their action was announced, Juul and Altria announced that they would stop selling their cartridge based flavor products in stores. The FDA later announced that they plan to prohibit the sale of flavored vaping fluid (other than menthol and tobacco) at stores which do not have an age-restricted section. They also announced that they will begin the process of banning menthol flavored cigarettes (such as Newports) and flavored cigars. This move is expected to take several years and will be strongly challenged by the manufacturers.

### PREDATORY TOWING ACT AMENDMENT

In December, both the Assembly and Senate unanimous-



ly passed A-4782/S-3225, which made some important corrections to the Predatory Towing Act. In recent years, the Division of Consumer Affairs has started applying the rules of the Predatory Towing Act even to police ordered non-consent tows, despite the fact that those tows are already regulated by each municipality. If a tower follows the municipal ordinance, they are at risk of being fined by the State, if they follow the State rules they cannot charge what the tow costs, even though the local government allows them to. Legislation was passed last year to fix this problem but it did not go far enough. This bill corrects the problem, and was signed by Governor Murphy on January 3.

### **MARIJUANA LEGALIZATION**

In November, a joint meeting of the Assembly Appropriations and the Senate Budget Committees passed legislation that would legalize and regulate the sale of marijuana products, as well as legislation that would dramatically expand the state's medical marijuana program. In November, Michigan voted decisively to become the 10th state to legalize recreational cannabis, and in December, New York's Governor Andrew Cuomo endorsed legalization. Gov. Murphy and both legislative leaders have endorsed the idea of ending prohibition for marijuana, although there continues to be dispute over several of the provisions of the bill, especially what the tax rate should be. In the two years that this issue has been debated, there has been no support for "comingling"—allowing retailers to sell cannabis products in addition to other products. Retail sales of these products will only be allowed at dedicated stores. This is the case in most states, although Maine just saw the opening of Atlantic Farms Gas N' Grass, a gas/c-store which legally sells cannabis products.

While current retailers won't be able to sell these products at their store, there is another serious concern for all employers—workplace safety. During the Committee hearing, the legislation was amended to ensure that employers would be able to continue to have drug-free workplaces even after legalization. Employers will still be able to prevent employees from being under the influence, consuming, or possessing marijuana items within the workplace, including for medical uses.

### **INTERNET SALES TAX**

In June, the US Supreme Court ruled that states have the right to collect sales tax on items sold to their residents through the internet. In November, this began officially applying to all internet purchases in New Jersey (previously it was only collected on websites which had a physical presence in the state, like Amazon). Being able to avoid sales tax by purchasing items (like new tires) online has been an unfair competitive advantage at the expense of brick and mortar retailers for too long.

### **ASBESTOS PRODUCT BAN**

The Assembly voted unanimously to pass A-4416, which

bans the sale of all products containing asbestos in the state. In the past, some auto parts frequently contained asbestos, although all major vehicle and aftermarket manufacturers have already phased the substance out of use. Some discount brands made in China have been known to continue to use it.

### **CARBON TAX**

ConocoPhillips recently joined ExxonMobil in announcing support and financial backing toward an effort to create a federal tax on carbon emissions. Carbon taxes are generally seen as a more effective way to cut down on carbon emissions when compared to more complicated cap-and-trade schemes. Most carbon tax proposals that have been floated are in the range of \$25-\$40 per ton, which equates to a gas tax increase of about 25¢-40¢ per gallon of fuel. It is worth noting that a federal carbon tax would also make natural gas even cheaper than it is compared with coal, which would be a great benefit to certain oil companies with large natural gas reserves. On Election Day, voters in Washington state decisively rejected a proposal to create the country's first state-level carbon tax. Most of the opposition funding came from oil companies, chiefly BP and Marathon. France had previously passed a carbon tax, but had to cancel the rate increases after riots recently broke out in Paris over the already high cost of fuel. Gasoline prices in France average nearly \$6 per gallon, most of that cost is taxes.

### **OTHER STATES**

In addition to the Congressional elections, voters in several states were given the chance to weigh in directly on important policy proposals. Voters in Washington state voted to ban taxes on soda, while voters in Oregon decided they would allow the option of creating a soda tax. Missouri residents voted against raising their gas tax 10¢ a gallon, while California voters opposed repealing their recent 12¢ gas tax increase. Voters in Arkansas and Missouri decisively voted to increase their minimum wage, to \$11 an hour by 2021 in AR and \$12 an hour by 2023 in MO. Montana voters narrowly opposed an increase in their cigarette tax.

### **ELECTION UPDATE**

With the votes all counted, the 2018 midterm elections were a good night for the Democratic Party both nationally and especially in the state of New Jersey. In the House of Representatives, Democrats saw a net gain of 40 seats, which will give them a 235-199 seat majority starting in January. It will be the first time in eight years that they have controlled a majority in the House. In the Senate, Democrats won two Republican-held seats in swing states (AZ, NV) while losing one of their swing state Senators (FL) plus three more Senators representing states that voted overwhelmingly for Trump in 2016 (ND, IN, MO). Republicans will have an expanded majority in the Senate of 53-47.

In New Jersey Democrats won 11 of the state's 12 House

seats, the most lopsided results for the state since NJ Governor Woodrow Wilson (D) was elected President in 1912. State Sen. Jeff Van Drew won the open seat in the 2nd district (Atlantic-Cape May-Cumberland) 53%-45% and Mikie Sherrill was elected to the open seat in the 11th district (Morris-Essex-Passaic) by a 57%-42% margin. Rep. Tom MacArthur in the 3rd district (Burlington-Ocean) was defeated by Andy Kim 50%-49%; and Rep. Leonard Lance in the 7th district (Hunterdon-Somerset-Union) was defeated by Tom Malinowski by a 52%-47% margin. All seven incumbent Democrats were reelected by double digits. Congressman Chris Smith in the 4th district (Monmouth-Mercer-Ocean) is the only Republican left, and his 55%-43% win was the closest race he has had since the 1980s.

Senator Bob Menendez (D) was reelected to another six year term, defeating Republican Bob Hugin 54%-43%. Polls showed even many of the people who voted for Sen. Menendez were not happy with him, but it seems their unhappiness with the President was stronger.

While we don't know for sure what the future holds, the results from 2018 were a major data point in favor of the idea that we are in the midst of a national political realignment. Suburban areas that had regularly supported Republicans for the past several decades abandoned the GOP across the country. This trend is balanced at least somewhat by a continuing shift among more "blue-collar" voters away from the Democrats, which explains why Republicans gained seats in the Senate while losing decisively in the House.

The 2020 Presidential election cycle will now get under way, it is expected that Democrats will be choosing from a huge field of contenders, including NJ Senator Cory Booker. The first votes will be held in February 2020. While the 2018 results were a good omen for Democratic chances to win back the White House, the outcome of the 2020 race is far from certain. On the one hand, the shift against the GOP in swing areas and formerly solid GOP areas is sending a message that voters are unhappy with the President and anyone associated with him and are very interested in a replacement. On the other hand, his approval ratings (about 42%) are almost exactly where Obama's and Reagan's were at this point in their first term. The question is, can Trump turn around perceptions of him and his administration in the time left, and successfully disqualify whoever the eventual Democratic nominee is? His biggest hurdle may be the possibility of a cooling economy and perhaps even a recession. The last two Presidents to fight a reelection campaign with a poor economy were George H.W. Bush and Jimmy Carter, and both were beaten decisively.

In 2019, New Jersey voters will be deciding who represents them in the General Assembly of the Statehouse. Democrats currently have a strong 54-26 majority, and both parties have members in competitive districts. Turnout for elections in which

the Assembly is the highest office on the ballot always have the lowest voter turnout, sometimes as low as 25%. Democrats are hoping that many of their voters are enthused enough about opposing Trump that they will turn out even for an unrelated state election, while Republicans are hoping voters in swing areas will come out and support a check on Gov. Murphy.

## What Can NJGCA Do For YOU?



*Serving the Small Businesses that  
Serve the Motorist*



# NJGCA Young Professionals Turkey Drive Success

Thanks to the generosity of our members, on November 9th, NJGCA's Young Professionals were able to donate **213 turkeys** to Fulfill NJ, the food bank that serves Monmouth and Ocean counties. This was the first community service project for the Young Professionals group, and more are being planned for future events. **Do you have children that plan to inherit your business, or are you under the age of 40 and looking to meet young professionals in the industry?** Call the office and ask about joining NJGCA's Young Professionals group! More networking, community service, and fun events are being planned for 2019!



## Be Confident in your Compliance Testing & Tank Testing



### Your one source provider of:

- ✓ Vapor Recovery
- ✓ Tank, Line & Leak Detector Testing
- ✓ Tank Cleaning/ Biocide Treatments/ Fuel Recovery
- ✓ ATG Services
- ✓ Helium Testing
- ✓ Cathodic Protection
- ✓ Sump Testing & Repairs



1-877-440-8265

[www.ATSEnviro.com](http://www.ATSEnviro.com)

# NJGCA DEFENDS AGAINST ATTACK ON NEW JERSEY'S BELOW-COST FUEL SALE PROHIBITION

By Francis J. Brennan, III, and Craig A. Cox, Brennan Law Firm.

NJGCA has combined forces with the Fuel Merchants Association of New Jersey ("FMANJ") to fight against a recent attack in the courts against New Jersey's law prohibiting the below-cost sale of motor fuel.



Enacted in 1938, New Jersey's law prohibiting the below-cost sale of motor fuel is designed to protect against predatory sales practices and promote fair competition by preventing large fuel retailers from using their vast resources to a competitive advantage by reducing fuel prices

below cost and driving out competing small service stations, only to later increase fuel prices after eliminating the competition to the detriment of the public.

The current attack against the below-cost sales prohibition was made by Speedway LLC. In February 2017, Speedway filed a Complaint against the State of New Jersey seeking to have the below cost sales prohibition statute overturned and declared unconstitutional. Speedway is precisely the type of large corporate fuel retailer that the statute was designed to protect against because they can afford to sell fuel below cost.

So far, Speedway's Complaint challenging the below-cost sales law has not been successful. On behalf of the State, New Jersey's Attorney General filed a Motion seeking the dismissal of Speedway's Complaint. In August 2017, the Superior Court heard oral arguments from the Attorney General and Speedway, and then dismissed Speedway's Complaint. Thereafter, Speedway filed an appeal of that dismissal. NJGCA and the FMANJ joined forces and filed an AMICUS or "Friend of the Court" Brief with the Appellate Court in opposition to Speedway's challenge to the below-cost sales prohibition. This Substantial Brief was in addition to the Opposition Brief filed by New Jersey's Attorney General. On December 11, 2018, the Appellate Division heard oral arguments from the parties. We currently await the Court's decision, which may not be issued for many months.

In the past, large corporate retailers, such as Speedway, have attempted to amend or repeal the below-cost sales prohibition in the legislature with vigorous lobbying efforts. However, on each occasion, NJGCA successfully defeated those legislative challenges. In fact, Sal Risalvato from NJGCA testified on numerous occasions before legislative committees in support of the below-cost sale prohibition and in opposition to attempts in the legislature by large fuel retailers to change or repeal the law.

The legislature's prior rejection of attempts to challenge the law prohibiting the below-cost sale of fuel, which was due in large part to NJGCA's successful lobbying efforts, added significant weight to the arguments before the Appellate Division. On a legal basis, legislative history is extremely important and is given significant deference. In its Opposition Brief, NJGCA was able to demonstrate that on at least four (4) separate occasions, the legislature had seriously considered proposals to change the current strict below-cost sales prohibition but had steadfastly refused to adopt such changes. The legislature's decision not to change the law despite repeated challenges, coupled with New Jersey's long held public policy of preventing predatory sales practices, provide a solid basis in favor of upholding the current law.



We will provide an update when the Appellate Division renders a decision on the pending appeal. In the meantime, NJGCA will continue to fight for its members, both in the legislature and the courts, to uphold and maintain New Jersey's laws against predatory sales practices.



*Petroleum Pros for 4 Generations*

Wholesale & Retail Gasoline  
Automotive, Fleet & Industrial Lubricants  
Bulk & Packages Products  
Anti-Freeze – Commercial Gasoline  
Diesel Fuels – Bio Diesel – Diesel Exhaust Fluid  
Wholesale Auto Parts

800-400-7154

[www.houghpetroleum.com](http://www.houghpetroleum.com)

Large enough to meet your needs – small enough to care





# OUTSTANDING.

*The knowledge to empower and the wisdom to make a difference.*

WE ARE A RESULTS DRIVEN LAW FIRM THAT STRIVES TO PROVIDE OUR CLIENTS WITH OUTSTANDING OUTCOMES.

- Corporate Law
- Employment Law
- Civil Litigation
- Environmental Litigation
- Environmental Law
- Commercial/Industrial Real Estate
- Petroleum Law
- Business Sales/Purchases

**BLF** Brennan Law Firm  
A PROFESSIONAL CORPORATION

73 North Main Street, Cranbury, NJ 08512 Phone: 609-395-5533/brennanlaw.org  
FRANCIS J. BRENNAN, III      CRAIG A. COX      THOMAS C. KINNEY

## 10 Gas Stations For Sale | Individual or Portfolio Vacant & Unencumbered | Call For Details



\$999,000

**137 Route 17 South**  
Paramus, NJ 07652

Lot size: .62 acres



\$1,175,000

**403 Newark Pompton Tpke**  
Pompton Plains, NJ 07444  
Lot size: .74 acres



\$899,000

**11 Lakeside Avenue**  
Pompton Lakes, NJ 07442  
Lot size: .31 acres



\$995,000

**41 Newark Pompton Tpke**  
Pequannock, NJ 07440  
Lot size: .36 acres



\$899,000

**362 Lincoln Avenue**  
Hawthorne, NJ 07506  
Lot size: .30 acres



\$819,000

**249 Spring Street**  
Newton, NJ 07860  
Lot size: .65 acres



\$499,000

**363 Glen Road**  
Sparta, NJ 07871  
Lot size: .75 acres



\$569,500

**1631 Route 23 South**  
Butler, NJ 07405  
Lot size: 1.15 acres



\$995,000

**1 Park Street**  
Montvale, NJ 07645  
Lot size: .17 acres



\$739,000

**1367 Union Valley Road**  
West Milford, NJ 07480  
Lot size: 1.20 acres

# MEMBERSHIP MEMO!



**By: Greg Cannon**

Happy 2019! It's hard to believe we have almost blown through another decade.

Thank God I'm only 29 and it doesn't mean that much to me!

I hope all of you were able to decompress and enjoy some much deserved family time over the

Holidays.

I'm happy to report that our membership grew during 2018. There were a couple of reasons for this welcomed growth spurt. One is due to that pesky Outlaw Labs lawsuit demand letter. That definitely put a little pep in people's step. Another reason is due to our current members referring other business owners. The common thread is that all of our new members see that NJGCA is an important force in their respective industry sectors. NJGCA can help, and we make a difference. There is a huge value to

that membership. They now have an organization to turn to when things go sideways. I appreciate the efforts put forth in the past year and I encourage you to continue this trend.

We have also seen more involvement in our MBP programs. Members are finally letting go of "I always did it this way," are exploring new ways, and discovering they are benefiting more. It's a great feeling to see a greater participation in programs that have had significant effort invested specifically for you.

Lastly, thank you for a noticeable increase in on-time dues payments. My past due phone call volume dropped in the last half of 2018 allowing me to focus on other areas of the association. From my seat it was a very good year and I thank you all. I hope this year is as good or better.

Thank you for reading. Until next time.

Cheers!  
Greg



**Peter Gudzak**

Direct: 908-738-2011

Fax: 908-665-2638

Email: [pgudzak@cbiz.com](mailto:pgudzak@cbiz.com)

Website: [www.cbiz.com](http://www.cbiz.com)

**CBIZ represents the finest companies in the industry and is positioned to negotiate with the most competitive insurance carriers.**

As a leader in the auto service/fuel dealers industry, we continue to provide solutions for service stations, c-stores, car washes, repair shops, auto body shops and wholesalers. Our GOAL is to provide exceptional service to every client, with an outstanding team of professionals, committed to developing a solid relationship with you and your organization. We understand how to provide a cost effective, flexible and comprehensive insurance program for your business including special programs available to NJGCA members.

**MULTIPLE SERVICES WITH A SINGLE FOCUS: YOUR SUCCESS**

Growth and Success. Efficiency and Profitability. It's likely that these goals are top priorities for your business. It is also likely that the daily distractions of financial and employee issues diminish your ability to focus on those goals.

CBIZ enables you to dedicate your time to critical business matters by providing custom solutions that help you manage your finances and employees.

We offer clients exceptional quality and diverse capabilities with the personal attention your business needs and deserves, all with a single focus: your success.

*our **business** is growing yours*



# Need To Reduce Healthcare Costs?

The New Jersey Gasoline C-Store Automotive Association (NJGCA) partnership with Association Master Trust (AMT) helps manage the cost of health benefits for our members.

- AMT offers a full menu of “cutting edge” benefit plans.
- AMT plans pay dividends when appropriate.
- AMT contracts with **Horizon Blue Cross Blue Shield of NJ** for access to the National **Blue Cross Blue Shield** provider network.

**Start Saving Today!**  
**Association Master Trust**

**Call: 973-379-1090**  
**www.amt-nj.com | info@amt-nj.com**



# Don't Let This Happen To You!



**Feel like you're facing down a freight train?  
Let NJGCA Help!**

***Your membership with NJGCA includes:***

- Advocacy on your behalf in Trenton and Washington on the issues that affect your business
  - Savings on products and services through our Member Benefit Partners
- Training and education opportunities to earn licenses and certificates

**Call us to learn more about membership privileges!**

**732-256-9646**



## Membership in a Strong Trade Association is the Best Investment Your Business Can Make

NJGCA offers specialized assistance for members who find themselves facing fines and violations from NJ Weights and Measures, OSHA, Department of Labor (DOL), Department of Environmental Protection (DEP), NJ Motor Vehicle Commission (MVC), and others!

Our staff will review all documents and paperwork, coordinate meetings and hearings, communicate with State offices and employees, and ensure that our members receive a reasonable and fair outcome!

We are also proud to provide services such as: contract reviews, consultation for gas station and auto repair businesses, FREE conference calls with attorneys who specialize in your business matters, help with licensing for Private Inspection and Emission Repair Facilities, seminars on Wage and Hour and OSHA rules, Environmental compliance, and much more!

NJGCA takes pride in providing up-to-the-minute information and making sure our members are ahead of the curve (and their competitors). All members receive a weekly email and quarterly magazine, in addition to urgent *Wildfire Alerts* when we have an update that can't wait!

NJGCA also provides the training and seminars that you need to make sure you stay on the cutting edge. We offer technical certifications for INL and ERT licenses, as well as seminars on how to stay in compliance with State labor regulations, DEP rules, and Weights and Measures requirements.

And whenever you have a question, NJGCA's dedicated, expert staff is only a phone call away to make sure that you're running the smartest, most efficient business you can!

For over 80 years, NJGCA has advocated for the interests of the motor fuel, auto repair, and convenience store industries in Trenton and Washington, DC.

We work tirelessly to promote and encourage legislators to enact small-business friendly policies. We also take the time to educate law-makers about how harmful proposals will impact you and your business, and ultimately hurt consumers and the economy at large.

NJGCA has worked hard to earn the respect of lawmakers, and our credibility is second-to-none. The more members we have, the louder our voice, the stronger our Association, and the more power we have to accomplish our goals! Join us today!

NJGCA proudly partners with over 45 companies to offer our members the best service and highest quality products.

Our exclusive relationships with various banks and lenders, credit card processors, attorneys, LSRPs, uniform vendors, gasoline, diesel, motor oil and auto parts suppliers, tank testing and compliance companies, and many other vendors, have provided members with thousands of dollars in special discounts and other benefits.

NJGCA also offers members health coverage, workers compensation and garage liability insurance programs which feature yearly dividends!

NJGCA's *Money Back Guarantee* assures members that the value and savings they receive through their association with NJGCA will pay for their yearly membership dues.



**AUTOPART  
INTERNATIONAL®**

**PREMIUM PARTS~EXPERT SERVICE**

*Since 1957*

# EVERYTHING YOU NEED TO GET THE JOB DONE RIGHT!

## WHY CHOOSE AI?

- Dedicated solely to the professional service provider
- AI is built on PREMIUM PARTS & EXPERT SERVICE
- Deep import & domestic coverage
- First to market with late model applications
- We empower all our stores to do what's best for the customer experience

### PREMIUM PRIVATE BRAND LINES

- Conventional and AGM Batteries
- E-Coated Rotors
- PCT™ Ceramic Brake Pads
- Posi-Met® Semi-Metallic Brake Pads
- OEF3® Starters & Alternators
- OEF3™ Brake Pads
- OES Import Exhaust
- Pro-Strut™ Full Strut Assemblies
- Pro-Tune® Filters, Wipers & Engine Management
- Service Tech Sensors®
- Severe Duty Chassis & Ride
- VSV® Shocks & Struts

### NATIONAL BRANDS

- AP Exhaust Technologies
- Arnott Air Suspension
- Bando
- Bilstein
- Dorman
- KYB
- MotoRad
- Motorcraft
- NGK
- OE+
- And many more...



## ASK US ABOUT OUR PARTNER SERVICES

### LOYALTY PROGRAM

- Nationwide Limited Repair Warranty & 24-Hr Roadside Assistance
- Earn points to redeem on valuable tools & equipment
- Discounts & promotions for members only
- Shop display & extras
- Free training
- **ONLY \$599 PER YEAR!**

### SSSTOCKING PROGRAM

- Put your fastest moving lines at your fingertips
- Brakes – pads, rotors & more
- Air, cabin & oil filters
- Wiper blades
- BANDO belts
- Bulbs
- Our program saves you time and money

### BATTERY CONSIGNMENT PROGRAM

- No up-front payment
- No ordering
- Turn bays faster
- Competitive pricing
- FREE 24 Month replacement warranty
- Premium AI brand American-made batteries

As a member of NJGCA, you receive special monthly “member only” promotions, special pricing, tool and equipment specials, rebates and much more!

CALL YOUR LOCAL AUTOPART INTERNATIONAL STORE TODAY!

[www.autopartinternational.com/NJGCA](http://www.autopartinternational.com/NJGCA)



# WINTER 2019 TRAINING CLASS SCHEDULE

Classes will be held at NJGCA Headquarters  
4900 Route 33 West, Wall Township, NJ 07753

Call Debbie at 732-256-9646 or email [debbie@njgca.org](mailto:debbie@njgca.org) to register

## 1. ENTIRE Emission Technician Education Program & ETEP Re-Certification Courses

If you need re-certification of your Emission Repair Technician License, or would like to get your Emission Repair Technician License for the first time, this course will offer exactly what you need. Take the entire course or pick up where you left off if you've already completed part of the program!

Classes: To Be Determined  
(February through March), 1:00 PM to 9:00 PM

Entire ETEP Program: Winter schedule coming soon

ETEP Re-Certification: Winter schedule coming soon

**\*\*Manuals Included in Cost of Class\*\***

### Class Fees:

#### Entire ETEP Class:

NJGCA Member = \$2,195

Non-Member = \$2,395

Note: \$500 deposit due upon registration

#### ETEP Re-Certification:

NJGCA Member = \$729

Non-Member = \$879

## 2. One Day Class for NJ Emissions Inspectors Training

To be licensed as a Motor Vehicle Emissions Inspector, you must complete this course and pass a "Written Exam" given by the State of New Jersey. NJGCA offers this training in a ONE DAY State approved training program that will provide an understanding of inspection related issues including EPA Regulations, Safety, Diesel, Customer Service, and the New Jersey State Specific Curriculum. **This specially tailored NJGCA course fulfills all requirements.**

**This 1-Day Class will be offered THREE different times**

Class Options: January 28th, February 28th, or March (TBD)

Class Time: 7:00 AM to 3:00 PM  
(Donuts & Coffee and Pizza & Soda provided)

### Class Fees:

Members = \$275

Non-Members = \$325

Payment is due upon registration.

We accept credit cards.

**\*\*PLUS\*\* License Fee of \$50.00, check made payable to NJ MVC  
NJ Drivers License Required with registration**

If out-of-State, 6 Points of ID Required

**\*\*\*DO NOT wait until the last minute! Completed registrations must be sent five days prior to the class date!\*\*\***

# THE ENERGY EXAMINER

FROM TRADITIONAL RESOURCES TO ALTERNATIVE ENERGY INNOVATIONS

By Michelle Horowitz



Since our debut in 2007, NJGCA *On The Road* has brought you timely updates on changes in the energy and automotive industries. Today, each new issue of *On The Road* will bring you more update and information in our *Energy Examiner*. The *Energy Examiner* will offer readers news from around the energy/transportation industry and how it will affect your small business. If you have any questions or comments on what you review in these quarterly pieces, please feel free to reach out to NJGCA.

\*\*\* ENERGY EXAMINER \*\*\* ENERGY EXAMINER \*\*\* ENERGY EXAMINER \*\*\* ENERGY EXAMINER \*\*\* ENERGY EXAMINER \*\*\* ENERGY EXAMINER \*\*\* ENERGY EXAMINER \*\*\* ENERGY EXAMINER \*\*\*

## UPDATE: ETHANOL / BIOFUELS / BIODIESEL YEAR-ROUND E15 COMING SOON; INCREASES TO VOLUME REQUIREMENTS

\*\*\* ENERGY EXAMINER \*\*\* ENERGY EXAMINER \*\*\* ENERGY EXAMINER \*\*\* ENERGY EXAMINER \*\*\* ENERGY EXAMINER \*\*\* ENERGY EXAMINER \*\*\* ENERGY EXAMINER \*\*\* ENERGY EXAMINER \*\*\*

In October, President Trump ordered the Environmental Protection Agency to expand sales of corn ethanol. This will aid in the planning efforts to allow year-round sales of gasoline with 15% ethanol, an increase from the current 10%. Currently, 15% ethanol blends, or “E15” are prohibited during the summer months in several states due to restrictions detailed in the Clean Air Act. Lifting E15 restrictions is considered a big win for the corn and farming industry. Lifting the ban will increase demand for corn and save consumers three to ten cents per gallon at the pumps, as ethanol is cheaper than gasoline. However, environmentalists hold concerns around the levels of smog that increases in ethanol could result in, especially during hot summer months. E15 fuel can be used in flexible-fuel vehicles, regular cars, SUVs, and light duty trucks. E15 cannot be used in motorcycles, heavy-duty engines, non-road equipment, and older vehicles (pre-2001).

The EPA also finalized increases to volume requirements under the Renewable Fuel Standards (RFS) program for 2019. Advanced biofuel volumes saw increases of 4.92 billion gallons as well as advanced biodiesel volumes to 2.1 billion gallons.

\*\*\* ENERGY EXAMINER \*\*\* ENERGY EXAMINER \*\*\* ENERGY EXAMINER \*\*\* ENERGY EXAMINER \*\*\* ENERGY EXAMINER \*\*\* ENERGY EXAMINER \*\*\* ENERGY EXAMINER \*\*\* ENERGY EXAMINER \*\*\*

## UPDATE: ELECTRICITY & ELECTRIC POWERED VEHICLES GM COMMENTS ON CAFE STANDARDS; SCALING UP EV INFRASTRUCTURE

\*\*\* ENERGY EXAMINER \*\*\* ENERGY EXAMINER \*\*\* ENERGY EXAMINER \*\*\* ENERGY EXAMINER \*\*\* ENERGY EXAMINER \*\*\* ENERGY EXAMINER \*\*\* ENERGY EXAMINER \*\*\* ENERGY EXAMINER \*\*\*

Despite electric cars making up only 1% of all new car sales in the nation, we continue to see electric vehicles increase in popularity; and have repeatedly been warned of their potential to change both our roadways and the fueling industry. With the Trump administration’s CAFE standards scale-back, automakers worry that they will not get regulatory credit for their electric car investments that were mandated in Obama’s previous expansion of CAFE standards. In response, General Motors released public comments on the CAFE standards revisions proposing a “national electric vehicle program.” The program would provide credits per vehicle based on range; those with longer driving range get more credits per car sold, shorter ranges get fewer. The proposal, which aligns with California’s ambitious emissions standards under their waiver of the Clean Air Act, has the potential to add more than 7 million cars on the road nationwide by 2030, a steep increase from current figures. Automakers would be on the hook to sell a certain percentage of zero-emissions vehicles; including fully electric, fuel-cell, and plug-in hybrid cars. New Jersey is among the nine states joining California requiring anywhere between eight and fifteen percent of car sales to be zero-emission by 2025.



Of course, in order to support a ramp-up of this level, there would need to be a significant increase in charging infrastructure and more reasonable battery costs. These kinds of efforts are currently being spearheaded across the country to get started on this work. New York State will add EV charging stations along the I-90 corridor upstate, host more public events and grant opportunities to encourage more sustainable growth strategies, and support the growth of EV usage. NYC, with the largest EV fleet owned by a municipal government in the U.S., will also add 50 “solar carports,” adding to their already existing 529 electric car charging sites. NYC also plans to add at least another 100 electric car charging sites over the next two years. In New Jersey, legislation is currently being debated on how to scale up charging infrastructure throughout the state, without putting the sole burden on the ratepayer.

\*\*\* ENERGY EXAMINER \*\*\* ENERGY EXAMINER \*\*\* ENERGY EXAMINER \*\*\* ENERGY EXAMINER \*\*\* ENERGY EXAMINER \*\*\* ENERGY EXAMINER \*\*\* ENERGY EXAMINER \*\*\* ENERGY EXAMINER \*\*\*

## **UPDATE: NUCLEAR / WIND / SOLAR / GEOTHERMAL CHALLENGES IN MURPHY'S CLEAN ENERGY GOALS**

New Jersey ranks among the top ten states for home and business solar projects, however, lack of planning in the interim before transitioning to the Murphy plan resulted in some panic over the potential of massive layoffs and unpaid loans and bonds for solar projects, which is fast becoming a booming business sector of the state. Solar energy is considered one of New Jersey's most successful efforts in moving away from fossil fuels, ranking fifth in the nation for most solar installations. The Board of Public Utilities has taken steps to prevent the collapse of the state's solar market by phasing out the current solar renewable energy certificate (SREC) program, which will be closed when solar makes up 5.1% of electricity sold by electric power suppliers.

Posing additional problems to Murphy's clean energy goals is ramping up wind power along the state's coastline. Despite promising potential results, including the creation of jobs and the possibility of a tremendous return on investment, there are fears that with offshore wind being more expensive than conventional sources, this could only yield increases in cost in an already expensive industry. The state rejected a plan from EDF Renewables to build a 25-megawatt offshore wind project in Atlantic City for the third time recently, citing little economic benefit and cost factors as their reasoning. All hope is not lost for expanding wind energy in New Jersey, with EDF Renewables North America proposing to partner with Shell new energies divisions and announcing a joint venture to co-develop a much larger lease area for offshore wind energy than its previous proposal. These projects can range from locations off the coast of Atlantic City to Cape May and New York.

While solar and wind energy developments continue to grow throughout the state and country, there are many more complications around nuclear energy. While the BPU is implementing subsidies to keep PSEG's three nuclear power plants in South Jersey open, consumers will likely be responsible for the \$300 million rate increase to do so. If the plants were to close, they could be replaced by fossil fuel units that would also increase ratepayer bills by as much as \$400 million.

\*\*\* ENERGY EXAMINER \*\*\* ENERGY EXAMINER \*\*\* ENERGY EXAMINER \*\*\* ENERGY EXAMINER \*\*\* ENERGY EXAMINER \*\*\* ENERGY EXAMINER \*\*\* ENERGY EXAMINER \*\*\* ENERGY EXAMINER \*\*\*

## **UPDATE: NATURAL GAS/PROPANE PINELANDS PIPELINE CONSTRUCTION BEGINS**

Construction has begun for the Pinelands pipeline, a 28 mile pipeline running through Monmouth, Ocean, and Burlington counties. New Jersey Natural Gas says the pipeline will provide a necessary backup source of natural gas to more than a million residents of the three counties.

## UPDATE: HYDROGEN/HYDROGEN FUEL CELLS HYDROGEN POWERED TRAINS AND FERRY'S COMING SOON; HYUNDAI INVESTS IN HYDROGEN

Two very cool new developments in hydrogen fuel cell tech. In September, Germany began operating the world's first hydrogen train. The train produces no direct air pollution and can operate without access to the electric grid. It has a range of 620 km on one fill with a maximum speed of 87 miles per hour. In the coming years, we will surely be seeing more hydrogen-powered trains across Europe.

Additionally, San Franciscans will soon be able to ride on a ferry that is powered by hydrogen fuel cells. The ferry is currently under construction and is projected to be completed before the end of 2019, but once finished, will be the nation's first passenger ferry fueled by hydrogen fuel cells.

The current lack of infrastructure is no road block for auto manufacturers in moving forward with fuel cell advancements. Hyundai recently announced they will make a \$6.7 billion investment in hydrogen fuel cell technology and production. As part of their goal to produce 700,000 fuel cell systems every year by 2030, both Hyundai and Kia passenger and commercial vehicles will have this technology.

## UPDATE: HYBRIDS HYBRIDS STILL TOP VEHICLES FOR FUEL-SAVING

Hybrid cars continue to dominate the market as more practical and affordable choices for consumers that want a cleaner, fuel-saving vehicle option. According to data collected by analysis firm Vincentric, 42 of 79 hybrid models examined have a lower total cost of ownership than gas-powered vehicles, considering fuel savings, depreciation, maintenance, financing, and insurance costs.

## UPDATE: FOSSIL FUELS GM TO CLOSE PLANTS; DECREASING EMISSIONS; NJ TO REJOIN RGGI

General Motors announced that despite strong profits, especially with trucks and SUV's, it will close five North American plants and lay off thousands of workers in an effort to restructure the business. The company is looking to get more involved with automation and electrification technology and is preparing for significant investments in these fields, directing funding away from cars. Their new motto will be "Zero Crashes, Zero Emissions, Zero Congestion," evidence of a shift in their scope.

The EPA will propose new rules to decrease emissions from diesel-powered heavy-duty trucks, though the new rules may not come until 2020. These regulations are especially important in areas of the country with elevated levels of air pollution, where nitrogen oxide emissions have been associated with several health issues including higher risks of asthma.

In New Jersey, Governor Murphy announced plans to rejoin the Regional Greenhouse Gas Initiative (RGGI), limiting carbon pollution in the state. New Jersey will join Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New York, Rhode Island, Vermont and Virginia in the effort to reduce greenhouse gases. This aligns with the Governor's pledge that New Jersey will run on 100% clean energy by 2050, however, with construction beginning on the Pinelands pipeline and new power plants, many question his commitment to ensuring New Jersey moves towards clean energy alternatives. ■

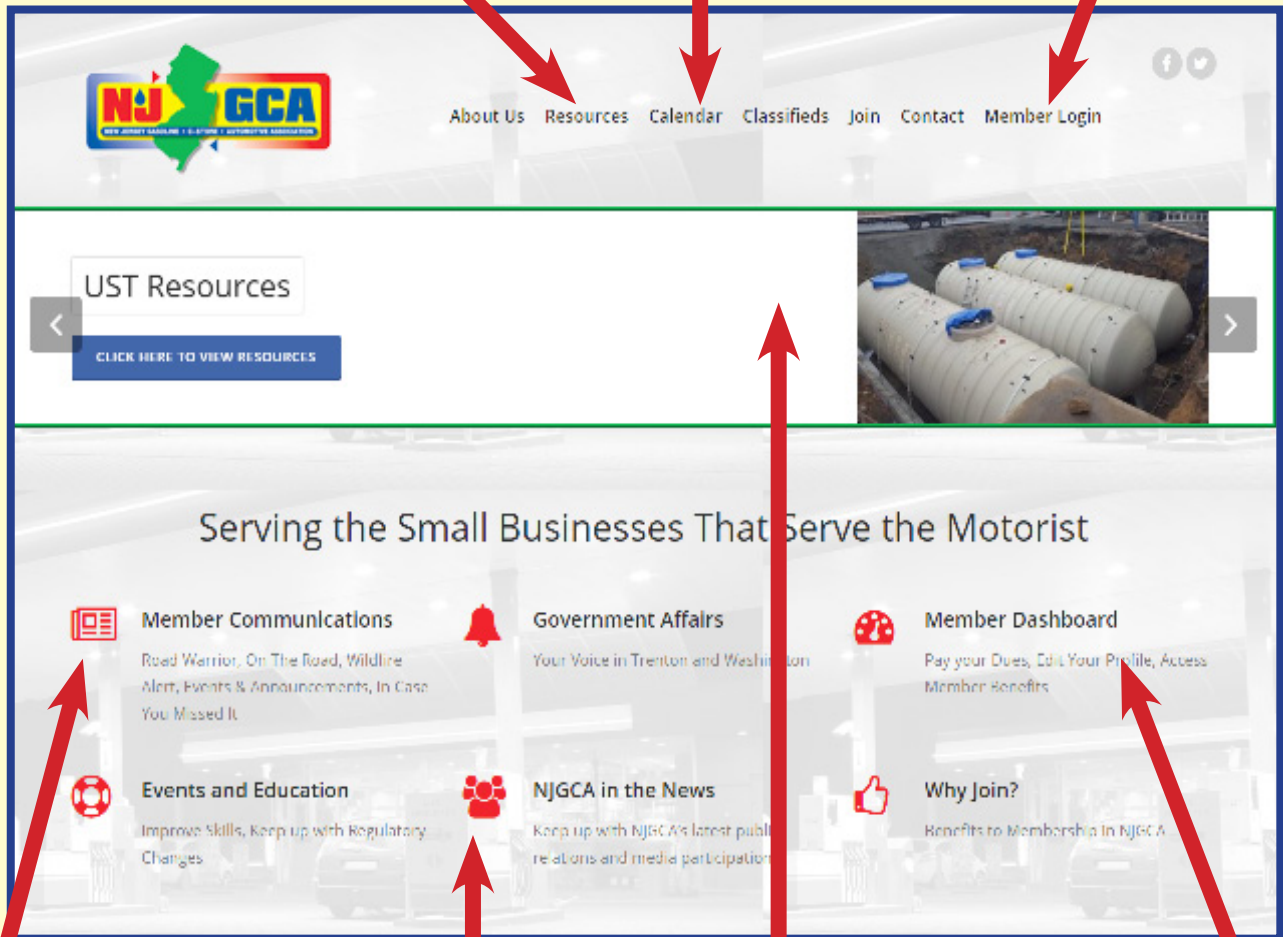


# Make NJGCA's Website Your "Go-To" Resource!

Find important documents, useful links, webinar recordings, and other tools and information to help run your business.

Click here to find our classes, training dates, and other events

Enter your Member ID and gain access to our members only sections of the website



Access our previous Road Warriors, On The Road newsletters, Wildfire Alerts, and other member communications

Find our media mentions here

Our most urgent items can be found in our scrolling banner

You can pay your dues and access member benefits by clicking here

**Make our website your one stop shop for useful information, tools, training and educational opportunities, up-to-date news, and more!**

**Visit [www.njgca.org](http://www.njgca.org) today!**



# Disruptions Coming To Your Business

By: Michelle Horowitz

*In this new On the Road feature, we will be updating our members on future (and currently occurring) disruptions coming to your small business.*

## Frictionless Payment:

If Millennial and Generation Z trends are any predictor for what will be the next big thing, then expect frictionless/cashless businesses to boom in 2019. Big businesses continue to push for a move towards cashless businesses, and convenience stores and gas station pumps are following suit; especially as the popularity of convenience stores continue to grow and expand. In New Jersey alone, the convenience store industry is exploding, seeing a 20% increase between 2009 and today. With commerce behemoth Amazon planning to open 3,000 cashierless stores by 2021, other businesses are looking to develop frictionless payment opportunities. Chevron and Paypal are partnering to allow customers to pay for their fuel using the Chevron app, joining the likes of 7-Eleven and Cumberland Farms in the app developing sector. 7-Eleven's "Scan and Pay" pilot will allow the customer to scan and pay for their items using the 7-Eleven app and collect rewards on their purchases. Additionally, mobile fueling opportunities are continuing to gain popularity, with Shell being the latest to pilot their own technology in Houston, allowing customers to request a fill-up while dining or shopping.

However, as frictionless payment takes off across the country, not everyone is sold on the idea of not accepting cash. New Jersey, New York, and Philadelphia are all considering legislation to ban cashless stores. Legislators fear that cashless stores may discriminate against low-income residents and seniors that may not use or have the means for the technology required to make purchases at these stores and unfairly benefit banks and big businesses. New Jersey's bill will require all stores to accept cash payments. The bill was unanimously approved in the Senate Commerce Committee in December and will next move to the full Senate. The business sector is divided on the issue in that while some claim going cashless reduces the likelihood of being robbed, others prefer cash to avoid processing fees.

## Autonomous Vehicles:

The latest company to join the growing number of businesses looking to use automated vehicles to take their business into the future is Walmart. A partnership with Postmates and Ford will

allow Walmart to launch a grocery delivery service as Ford anticipates production of these vehicles within three years. The program will pilot in Miami.

In December, Waymo launched their "Waymo One" autonomous vehicle commercial taxi service in Phoenix, Arizona. Only handpicked test passengers will be permitted to ride in the vehicles initially and safety drivers will be present behind the wheel in the first few months. However, the results of this gradual rollout will be extremely important for the autonomous ride sharing industry. They will need to show the technology is safe and earn the consumers trust (in an overwhelming climate of fear of this technology from the public), that they can properly scale up the service to meet the demands of more customers, and that eventually, they will be able to remove the safety driver to allow for total autonomy. There are several other companies looking to break into this market, Waymo will not be alone for long. For more information on where we are with autonomous vehicles in New Jersey, see the article "Autonomous Vehicles in NJ: Distant Future or New Reality?" on page 34.

## More Disruptions Coming Soon:

In other cool technology news, Uber is looking to go even further with their food delivery services by offering a drone food delivery program. The program will be called UberExpress and is looking to a 2021 launch. 7-Eleven has also tried this out in Reno, Nevada. Amazon has also previously announced they will be exploring drone deliveries, only ramping up a race between two commerce giants.

Walmart is going far beyond autonomous vehicles to disrupt the market. They also plan to introduce over 300 "janitor robots" with data collecting and artificial intelligence capabilities in select stores by the end of 2019. The chain says that the robots will allow Walmart employees to have more time to perform other tasks. The only action needed from humans are to map out cleaning routes for the robot scrubbers and send them on their missions. Now if only we could have these in our store bathrooms!





**DON'T LET THIS HAPPEN TO YOUR BUSINESS!**

At Alliance, our team will alleviate your pains/fears and threat of loss as it relates to: maintaining environmental compliance, NJDEP required assessments and investigations, and potential remediation.



**We specialize in affordable, practical solutions for:**

- Licensed Site Remediation Professional (LSRP) Support
- Site Monitoring & Sampling
- UST Investigation & Closure
- Phase I & II Environmental Site Assessments
- Turn-key Remediation Solutions
- Assistance with Regulators



Visit us at [www.envalliance.com](http://www.envalliance.com)  
 For more information contact Mike Vanderslice at (732)-537-0250 or [mvanderslice@envalliance.com](mailto:mvanderslice@envalliance.com)

Our clients are the smartest people in the gasoline business.

Owning and operating USTs requires skill and attention to detail.

We value being the tank insurance advisor to the NJGCA membership.



[www.dana-ins.com](http://www.dana-ins.com) / 800-821-1990 / [eric@dana-ins.com](mailto:eric@dana-ins.com)



/ Recommended Provider



*Committed to providing you the*  
**Workers' Compensation Coverage You Deserve!**

5% dividend paid to eligible NJGCA members in 2017!



**FOR MORE INFORMATION, PLEASE CONTACT**

The Amato Agency | (800) 763-6574 | F: (732) 530-6727 | [www.amatoagency.com](http://www.amatoagency.com)

# Member Memories

*Several times we have thought about asking NJGCA members for interesting or funny stories of experiences, episodes, or encounters that have remained in their memories and might be shared with friends and family when recalling their years in the gasoline service station business. Some stories may be funny, human interest, or may even serve as a lesson to others in the business. We hope to persuade you, the NJGCA members to share your episodes so that we can write about them in future editions of our On the Road newsletter. We would like to see this be a regular feature in each issue. To get this new section started, Executive Director Sal Risalvato has shared one of his favorite stories recalled from his 23 years owning a service station. You don't need to be a good writer. Just tell us your story and we will write it for you. Please contact Michelle and relay your story so that we can use it for others to enjoy....or learn from.*

## **Could You Forget Your Wife?**

For years, my brother Vinny and I joked that someday we would write a book of short stories recalling all of the crazy episodes that we encountered with customers, employees, and the motoring public. I owned an Exxon station on the northbound side of Route 17 in Paramus immediately before the Midland Ave exit ramp. Vinny worked for me at the time and we have told this story many times at family functions or when out with friends. It usually is told whenever conversation turns to our crazy times in the gas station business, or when musing about the trials and tribulations of married life. This story marries the two (no pun intended).

One of the funnier and more entertaining episodes was not with a customer, but with a total stranger. To appreciate this story one needs a little background about Route 17 if they are not familiar with it. Route 17 was and still is one of the busiest highways in the State of NJ. It is three lanes in each direction, with a concrete divider between north and southbound lanes. There is a constant flow of traffic that rarely pauses throughout the day, and the road noise at times can be deafening and unbearable. Conversation at the gas pumps was always difficult and could even be difficult in the front office or service bays. There was never a quiet moment.

One summer afternoon, I was in the office chatting with a customer who was having his car serviced, and Vinny and another employee were at the pumps serving gas customers. The usual loud road noise was broken by the sound of screeching tires and horns blowing. We were waiting for the usual thunder of crashing cars that we had become accustomed to, but thankfully there was none. Thankfully, because the reason for all of the screeching tires and horns was an elderly man who was standing on the other side of the concrete divider, in the fast lane, beside his car waving his arms and trying to shout to us over the road noise. Thankfully, thankfully, neither this man nor his car were struck. He seemed desperate, which is understandable given the fact that he was surrounded by cars and trucks whizzing by him and trying to avoid a collision. Although desperate, it became apparent that he was unfazed by his dangerous surroundings. Yes he was desperate, but not for the reason we all thought, as we would find out later. Naturally, we were panicked thinking that his car had broken down in the most unfortunate place. Since it was impossible for us to hear him, or for him to hear us, we tried to signal to him that we were on our way to rescue him and would seek police assistance.

By the time Vinny and our mechanic had pulled out of the driveway in our service truck, I watched this old man get back in his car, frustrated by his inability to communicate with us, and drive away. I guess he was not broken down. It was too late to stop my service vehicle as they were already making the U-turn.

About 10 minutes later, Vinny returned and we both scratched our heads wondering what was up with the old man who was frantic in the middle of Route 17. Another 10 minutes passed, and sure enough, the old man drove right up to our front office where we were all still gathered laughing and wondering what had happened. Why was this crazy old man dangerously standing in the middle of cars and trucks whizzing past him and waving frantically?

The old man ran in to the office, upset, frantic, crying, and desperate. He had lost his wife and could not find her! The old couple – they must have been in their late 70s or early 80s, were traveling from NYC



thru Bergen County, on their way to upstate NY, and had stopped at an Exxon station for gas. The old lady got out of the car to use the ladies room, and the old man drove away after paying the attendant for his gas. He completely forgot (subconsciously, maybe on purpose) that his wife was inside the ladies room and apparently didn't miss her in the passenger seat when he drove off.

Here is some more important background. This was 1982. At that time there were 11 Exxon gas stations between the George Washington Bridge and the northern Paramus border counting those on both sides of the highway. *THE OLD MAN HAD DRIVEN SO FAR THAT HE DIDN'T HAVE A CLUE AT WHICH EXXON STATION HE HAD LEFT HIS WIFE!* He apparently had driven well north of my place and was on his way back southbound when out of desperation he decided to just stop his car in the fast lane across from my Exxon station to get out and see if he had left his wife by us. Of course, since it was impossible to hear him, we didn't understand what he was shouting. Frustrated, he got back in his car to drive directly to us to see if he had left his wife in our ladies room.

His distress was heartbreaking. He was crying and panicked beyond belief. Besides, he knew he was in big trouble once he finally found his wife (or she found him). I couldn't help but think of my own grandparents who traveled hours by car to visit friends in Pennsylvania. It was perfectly plausible that gramps could inadvertently pull away and leave granny in a similar situation. Hey, we all daydream while driving and are not always aware of surroundings. I could understand how it could happen. I also knew that my grandmother would make life miserable for my grandfather if something like that ever happened, so I was worried and sympathetic for this old man crying in my front office.

Now I was desperate, I had to help this old man. I first called the police and they sent an officer who arrived quickly. Since the old man was certain that he had left his wife in an Exxon station because he only purchased Exxon gas, Vinny and I began calling each of the 11 Exxon stations that were located before ours, beginning at the George Washington Bridge. It only took four phone calls before we found the

Exxon station where the old man had left the old lady.

If we thought we had our hands full with the crying old man, our friends who owned the Exxon station where the wife was left behind were having their own problems with her. They didn't know what to do with her and were convinced that the husband purposely left his wife at their place and took advantage of the opportunity to leave without her. They were desperate to get rid of her too! They did not want to wait for the old man to find his way back to their place and insisted that they bring the old lady to us. They were about 10 miles away but I think they made it to my place in five minutes.

Once they arrived it was clear why they were desperate to get rid of her. What an old battle-axe she was. She was screaming as they pulled up, she was screaming as she got out of the car, she was screaming as she walked in my office, she kept screaming while in my office, and she screamed as they got in the car and drove away. She never even acknowledged any of us that were trying to assist and console her husband including never acknowledging the police officer who was still there. She just screamed at the old man like a scene in a comedy movie. She screamed but the old man was so relieved that his tears became tears of joy. I still think the old man subconsciously left the old bag on purpose, but then fear set in and he chickened out!



*My brother Vinny and I, not pictured at our Exxon station.*

*Do you have a good story to share? Contact Michelle to be featured in the next On The Road!*

# THE YEAR IN GAS PRICES

By: Eric Blomgren

For most of the year 2018, gas prices were reasonably stable. For the first three months of the year prices were mostly consistent with where they were in 2017. Starting in mid-March, rack prices spiked by about 50¢ a gallon through mid-May. For most of a seven month period from April through October, prices floated within a range of about 15¢ a gallon. Then, in a six week period from mid-October through the end of November prices crashed by 50¢ a gallon. A rough estimate of the average margin (difference between the OPIS average retail price and the previous day's average rack price plus taxes) shows a huge spike in the last two months of the year, about 20¢ a gallon higher than the average margin for the previous 22 months at least.

The lowest average rack price plus tax came on December 25th when it hit \$1.9912 a gallon. The highest price was on May 21st, at \$2.85 per gallon.

The overall average price for the year was 31¢ a gallon higher than it was in 2017, which itself was 41¢ higher than in 2016. Over one third of that spike is due to the state gas tax increase. How long prices will remain at the new low levels is an open question. U.S. oil drilling continues to expand at a rapid pace, with new pipelines coming online in Texas allowing even more of the oil drilled from the immense fields of the Permian Basin to reach markets. In December, OPEC and Russia announced that they would take action to “stabilize” the worldwide oil markets and push up the price for a barrel to the \$70 range. Of course, the story over the last five years has been that when the cartel tries to limit supply and push up the price of the oil, it increases the incentive for ever more drilling in the US, which eventually starts to flood the market and bring prices back down.



	Average Rack Price +Tax	Change From Previous Month	Avg. Margin (OPIS)
2018			
January	\$2.40	\$0.08	\$0.24
February	\$2.33	-\$0.08	\$0.37
March	\$2.36	\$0.03	\$0.29
April	\$2.55	\$0.19	\$0.22
May	\$2.72	\$0.17	\$0.26
June	\$2.63	-\$0.09	\$0.35
July	\$2.63	\$0.00	\$0.29
August	\$2.61	-\$0.02	\$0.30
September	\$2.61	\$0.00	\$0.29
October	\$2.69	\$0.08	\$0.22
November	\$2.21	-\$0.48	\$0.51
December	\$2.06	-\$0.15	\$0.45





# DIVIDENDS just Declared!



members received a  
**5% dividend**  
from our  
Workers Compensation  
Insurance Policies  
**and a**  
**10% dividend**  
from our  
Garage Insurance Policies

Over  
**\$3,000,000**  
was returned  
to policyholders  
over the last  
10 years!

To get yours, call now!  
**800-763-6574**

Dividend opportunities available to association members only. Future results may vary.



**AMATO**  
INSURANCE  
agency

4900 RT. 33, STE. 103, NEPTUNE, NJ 07753  
290 N. MAIN STREET, BARNEGAT, NJ 08005 • [WWW.AMATOAGENCY.COM](http://WWW.AMATOAGENCY.COM)

# Investments Worth Driving For

**By: Ryan Ramsay, Bellomo Fuels**

The service station has been an American institution for nearly a century. Americans from Atlantic to Pacific have gone to them to fuel up their hot rods, replace a blown-out tire, and grab something to eat on a long road trip. Since their inception, gasoline brands have dominated American advertising and created pieces of memorabilia that has since spawned a huge community of collectors. In all that time, technological and societal advances have drastically changed the look of the service station we pull into and the technology we use while we are there. As proud owners of these service stations, we find ourselves at the crossroads of technological advancement, and the real, hard costs and returns of making those advancements.

The trouble many of us have in this business is this: what is worth fixing or upgrading? In years past, when something broke or became obsolete at our locations, getting the problem fixed was a no brainer. In recent years though, that confidence has changed to uncertainty. The cost of fixing these seemingly minor problems has increased, and the necessary fixes are many times fixed with either computer programming or complex testing. Just diagnosing the problem or mapping out an upgrade strategy is overwhelming.

The first step in establishing the viability of an investment is getting an estimate of how long that investment will last for. If several thousand dollars of work is required on a thirty-five year old steel tank, the life span of that investment will probably be shorter than upgrading to double wall piping. As our fuel market changes, we may have to adjust our timeframe to get a return on the investment over a longer period of time or more gallons.

Another consideration to make is whether or not our investment is in tune with the next generation of fuel buyers. Many of us have been in this business for many decades, and fuel never seemed to need much attention in terms of marketing or technology. In today's market place however, Millennial and Generation Z consumers have drastically different buying habits than previous generations. Many of them have a strong preference to paying with debit or credit cards as opposed to cash. They also seem to value brands less than previous generations, and the internet economy has made them accustomed to not having to travel or wait long for their goods and services. When thinking about upgrading our equipment, keeping these buying patterns in mind can aid in making a greater return on a generation that is notoriously picky and price conscious. Though the initial cost is more, Point of Sale equipment that can support mobile pay functions or higher speed dispensers can be the key to those

new young customers remembering your location.

Even with all of the thought and research, there is no exact formula on what investments will earn a healthy return. With that in mind, it is also important that you combine that information with your gut instinct. Our business has been around for a century, and has withstood crisis and triumphed booms. Many other investments have been made in the past, and we will continue to make many more so long as we base our decisions in thought-out research and free from fear of the next big thing.



*Editor's note: Ryan Ramsey is one of the original participant's in NJGCA's Young Professionals Group that was established to gain the point of view of the next generation Gasoline Retailers, Auto Repair Professionals, and C-Store Operators.*



# A Look at a New “Path to Progress” For New Jersey

By: Eric Blomgren

Earlier this year, with the strong support of state Senate President Steve Sweeney (D-Gloucester), the state Legislature created the Economic and Fiscal Policy Workgroup. Just about anyone who pays any attention to what it’s like to live in New Jersey knows why such a workgroup is needed. The state of New Jersey is, frankly, a mess. It is vastly too expensive, and that is driven in no small part due to a long series of mistakes and mismanagement over the last quarter century, under the leadership of Republicans and Democrats at all levels. But if you think things are bad now, the fiscal reality is that we are on track to get a whole lot worse in the near future. The can that has been kicked down the road for a solid thirty years is about to finally run out of road.

Something dramatic needs to change (and has needed to change for quite a while), and thankfully some in the Legislature are moving to actually make some of these changes. The group has been chaired by Senator Paul Sarlo (D-Bergen), Senator Steve Oroho (R-Sussex), and Assembly Majority Leader Lou Greenwald (D-Camden), and in addition to several other legislators also included a wide variety of academics and technical experts, dedicated to coming up with solutions to these problems.

The biggest problem is the unfunded pension obligation. Since the Christie Whitman Administration, Governors and Legislatures have declined to make the full pension payment that was due (sometimes making no payment at all). If they had made the payment they were supposed to, it would have meant less spending and/or higher taxes, and it would have meant it for the next year. Skipping the pension payment was a problem that wouldn’t show up for many years—indeed almost all of those legislators and Governors have since retired. The State’s combined pension and retiree

health benefit liabilities are \$151.5 billion, four times the entire annual state budget and the equivalent of \$16,772 for every single one of our residents. The annual costs are increasing, and if no change is made it will increase by \$4.1 billion just in the next few years (last year’s total budget was \$37.4 billion). There are no more taxes to increase, in order to solve a problem of this size.

The full report has a lengthy list of proposed solutions to this funding crisis, including switching state employees from “platinum” level health benefits (the most generous in the nation) to “gold” level and to shift new government employees and those with fewer than 5 years of service from the traditional pension to a hybrid system that is in part similar to a 401k.

The report also addresses a wide variety of other reforms that could save various levels of state government money, ideally leading to lower property taxes. This includes different ways to encourage shared services among the state’s 565 different municipal governments. The full plan involves a lengthy list of reforms both large and small. If you are interested in the topic further please visit [www.pathtoprogressnj.org](http://www.pathtoprogressnj.org) for the full report.

The first step in solving any problem is admitting that there is one, and then figuring out what to do about it. Both those steps have now been taken by the NJ Fiscal Policy Working Group. The hardest part still lays ahead: crafting these proposals into legislative language, then getting them to pass in both houses of the Legislature, and finally convincing the Governor to sign them into law. Senate President Sweeney is leading the way by traveling around the state to promote these reforms.

New Jersey can and should be a place people want to live in, run a business in, and retire in, not just a place people want to escape from. NJGCA looks forward to what the new year brings for this plan.



## “COMMERCIAL LOANS MADE EASY PROGRAM”

☀️ **LOWER RATES & BETTER TERMS**

☀️ **REFINANCE your C-STORE – FAST**

☀️ **Get - CASH OUT for any reason**



- Franchise opportunities for C-stores (want to add or remodel C-store)
- SBA loans                      Expansion
- Acquisitions                    *EMV pump upgrades*
- *Tank removal*
- Equipment Financing -NEW & USED- 48-hour approval
- Heavy Duty, Medium Duty, Light Duty Trucks

**CALL and Speak to Frank (Today)**

A MEMBER BENEFIT PARTNER



**Lending Capital** 669 Washington Street STE 302 Hackettstown, NJ 07840

Phone: (908) 991-7722 | Fax: (908) 269-8879 | cell: (973) 479-2558

[frank@lendingcapital.net](mailto:frank@lendingcapital.net)

[www.lendingcapital.net](http://www.lendingcapital.net)

Special “cash-out” refinance programs for



Members:

# Autonomous Vehicles in NJ: Distant Future or New Reality?

By: Michelle Horowitz

For the past year, NJGCA has been disseminating information on the disruption autonomous vehicles will bring when this technology becomes mainstream. From taxi service and food delivery to interstate travel, the auto industry and legislators have big ideas for how autonomous vehicles can make daily life and everyday problems a bit easier, and will likely affect and require the input of several industries to get off the ground. However, with new technology, especially something as disruptive as autonomous vehicles, comes new and difficult policy questions for legislators and businesses to grapple with. The New Jersey Legislature is already beginning to plan and visualize what New Jersey roads and businesses will look like with the addition of autonomous vehicles to the marketplace, and what the Legislature can do to further the development of this technology. **Here are the three main issues the Legislature is currently facing:**

## **1. How Autonomous Will The Cars Be:**

When we think of autonomous vehicles, typically we think of a car that allows the driver the ability to take a nap, read a book, or be on their phones without having to worry about navigating the roads. While this technology is still in development, there are actually several different types of automated vehicles that can already be seen on our roadways. The National Highway Traffic Safety Administration (NHTSA) has classified these vehicles into five levels of automation:

**Level 0:** No automation, driver is in full control of wheel, brakes and power.

**Level 1:** Some specific functions, such as steering or accelerating, can be done automatically by the car (example: adaptive cruise control).

**Level 2:** Car has the ability to steer, accelerate, and brake on its own in certain circumstances. We can see this technology in Tesla Autopilot, Cadillac Super Cruise, and other car assistance systems.

**Level 3:** Car has the ability to manage most aspects of driving and is able to monitor its environment, but driver intervention is necessary should the car not recognize a particular scenario (ex: Audi Traffic Jam Pilot).

**Level 4:** Car can operate without human oversight, but only under certain conditions such as a particular road type or geographic area. Driver involvement can vary depending on if the vehicle is privately owned, or the driver is a passenger. There are currently no level 4 vehicles available to consumers.

**Level 5:** Completely driverless vehicle, can operate on any road in any condition without driver intervention. While there are currently no level 5 vehicles on the roads yet, several auto developers and businesses are currently piloting vehicles that are at this level. Waymo is using Chrysler Pacifica Hybrids to

develop its level 5 tech and General Motors is working on Cruise autonomous test vehicles.

After reading through this list, you may have noticed that you are already driving a vehicle that is considered autonomous. It is worth noting that levels 1-3 do involve varying levels of human intervention should the car encounter a situation it does not recognize, and fully automated cars are still a while away. However, legislators, car developers, and businesses are already bracing for the impact of autonomous vehicles to the marketplace. Are you ready to give up being in control and let an autonomous vehicle drive you?

## **2. Safety Concerns**

Perhaps the biggest concern to legislators and businesses piloting this technology is keeping both passengers and pedestrians safe in any situation that involves a driverless vehicle, especially those levels which are completely driverless. Of course, there are many unanswered questions, especially with this technology still in development. A 2015 National Highway Traffic Safety Administration study estimates that 94% of vehicle crashes are caused from human error; but what will happen when humans are no longer making decisions behind the wheel? Legislators and car developers alike hope that this new technology will decrease the amount of crashes due to human error. We are still years away from level 4 and 5 automated driving becoming the norm on New Jersey streets, but if a crash were to occur in a "driverless" vehicle, where would the responsibility lie? The insurance agency? Manufacturer? Vehicle owner? Passenger?

The allocation of liability would depend on the facts and circumstances of the accident, says Mauro Tucci, a litigator with Chiesa Shahinian & Giantomasi PC. "If someone injured in an accident is going to file a lawsuit, there would likely be claims against the so-called 'driver' of the autonomous car, the owner, the auto manufacturer, and even the company that wrote the autonomous driving software," he explained. "What was once a relatively simple personal injury case begins to look more like complex, expensive product liability litigation."

Consider accidents caused as a result of human carelessness: distractions, texting, drinking and driving, and, quite possibly sooner than we think, driving under the influence of marijuana. Could automated vehicles be the answer we are looking for to avoid incidents like these that have the potential to be fatal? Perhaps level 4 and 5 cars, which are not even on the market yet, but other automated levels still require drivers to be alert enough to act should the car encounter a situation it



does not recognize. So for now, you can forget about your plans of having a relaxing glass of wine in the driver's seat of your vehicle. Once full automation is the norm on New Jersey streets and we know more about the technology involved, legislators will need to make decisions around the level of distraction that will be permissible once these vehicles are mainstream, and tackle some interesting policy questions.

In 2016, the National Highway Traffic Safety Administration decided that each state should set its own framework for autonomous vehicle liability, setting the stage for a 50-state patchwork of potentially differing rules. A pending void of federal laws governing autonomous vehicle liability may mean a few more years before we see self-driving cars on the road.

"Companies that build self-driving cars will need to evaluate their exposure for legal liability before they start selling self-driving cars for use by the general public," said Tucci. "I doubt manufacturers will begin mass production without knowing whether they will be held responsible for every accident involving an autonomous vehicle."

Many ride sharing companies are currently piloting and/or developing self-driving vehicles such as Google, Waymo, Uber, and Lyft. However, a Gallup poll released earlier this year noted that a majority of respondents (59%) indicated they were uncomfortable with the thought of traveling in a fully autonomous vehicle every day, and an even higher percentage (62%) were uncomfortable with the thought of sharing the roads with autonomous trucks. Companies offering these vehicles may be making headway with the development of the technology, but much work still needs to be done around convincing the public autonomous vehicles are safe.

### 3. Will They Take Away Jobs?

Self-driving cars have the potential to impose a real effect across the board on several industries. There is a possibility self-driving cars will eventually phase out the need for both taxi drivers and drivers for ride sharing businesses. The trucking industry could also look very different in the coming years with the development of autonomous trucks. A self-driving vehicle will not need a salary, will not need to adhere to strict labor laws, and can, for the most part, operate all day without needing to stop.

The auto repair industry will change in the next few years as well. Once we see a decrease in collisions, there will be less need for collision repair technicians. However, as cars become more computerized and electrified, we could see an enormous shift in the scope of work in the auto repair industry. Mechanics may not need to perform as many oil changes, but they will need to know how to perform software and technology fixes

when these problems arise. In the meantime, shop owners and repair technicians can begin to learn more about autonomous technologies and software, and build up their expertise in these fields. Mechanics and shop owners can also attempt to keep in front of the disruption by investing in certification classes to learn more and be trained on what knowledge is required for working on these vehicles.

In addition to the three main issues mentioned above, legislators will also be on the hook to answer some interesting policy questions such as: What will happen to speeding tickets when cars are programmed to follow the speed limit and obey every traffic law? What will drivers education courses look like once autonomous cars become more mainstream? Will autonomous cars be susceptible to hacking, and if so, how can we protect data collected by the cars? Make sure you are watching for NJGCA updates on autonomous vehicles, as we will be watching out for legislation that addresses the answers to these questions in the coming months and years as these cars hit New Jersey roadways.

**SHARP FOCUS.**  
**SMART SOLUTIONS.**

Chessa Shahinian & Glanzhorn PC has a 45-year reputation for providing exceptional legal advice with an uncompromising focus on your business goals. Our clients benefit from our ability to provide practical, cost-efficient counsel across a variety of disciplines, including:

- Environmental Compliance & Litigation
- Real Estate, Development & Land Use
- Litigation & Liability Claims
- Property Tax Appeals
- Employment
- Intellectual Property
- Regulatory & Government Affairs
- Government Investigations & White Collar Defense

At CSG, we understand the unique challenges facing the gasoline, convenience store and automotive industry. See what we can do for your business by visiting us at [www.csglaw.com](http://www.csglaw.com).

**CSG**  
Chessa Shahinian  
& Glanzhorn PC

Mauro G. Tucci Jr.  
973.535.2188 | [mtucci@csglaw.com](mailto:mtucci@csglaw.com)

Michael E. Flumb  
973.535.2148 | [mflumb@csglaw.com](mailto:mflumb@csglaw.com)

WEST ORANGE, NJ | TRENTON, NJ | NEW YORK, NY | [CSGLAW.COM](http://CSGLAW.COM)

# Update on UST Regulations

By: Manny Alvarez, C-3 Technologies

It has been almost three months since the deadline for the new UST regulations has passed. Now that we have begun to digest the new rules, we are seeing some changes on the enforcement side that you should all be familiar with. Some of this can get a bit complicated, so the takeaway for you as the tank operator should be to consult with your contractor or NJGCA if you are unsure of your compliance status.

**AB Operator Training** – There have been a few hiccups with the AB Operator requirement. One issue that arose had to do with the reciprocity of AB Operator training from Pennsylvania. Many of you either had PA training already, or took your training in PA to prepare for the NJ requirement. NJDEP found too many inconsistencies between the two states and decided they will no longer accept the PA training. If you submitted a registration form with the PA certificate prior to the October 13th deadline, NJDEP should have accepted it. Forms submitted after the deadline using a PA certificate are being rejected. If you are currently operating under a training certificate from PA, you should schedule NJ training to avoid a problem at renewal.

A second problem with the AB Operator requirement is that many dealers completed their AB Operator training but failed to submit a new registration form listing the AB Operator information. Until the form is submitted, the NJDEP will view the site as out of compliance and you will be issued a Notice of Violation at the time of your inspection.

Enforcement of this requirement takes two different paths. One path is that without an AB Operator listed, you will be unable to renew the registration. Remember that the tank registration now renews annually, so this requirement will catch up with you quickly. If you are inspected by NJDEP before that happens, you will be issued a Notice of Violation and given 30 days to come into compliance.

**Hydro Testing** – If you have not already had your hydro testing completed, you need to at least be scheduled with a contractor and have it completed before April 13th. If

you are inspected in the meantime, you may have to enter into an Administrative Consent Order (ACO) with the NJDEP. In the event that you have failures, you have to be very careful. NJDEP is imposing significant penalties for sites that take delivery to a tank with a spill bucket that is known to be failing. If you have a failure, do not take any deliveries until it is replaced and make sure your contractor or Licensed Site Remediation Professional (LSRP) screens the area for contamination. If you are in the process of replacing a spill bucket, be sure to discuss Enhanced Vapor Recovery (EVR) compatibility with your contractor. You may find yourself in a situation where you will have to replace the bucket again when the EVR deadline comes in six years.

Failures for piping sumps and dispenser containment are handled a little differently. As long as you maintain compliance for leak detection in another manner (i.e. Annual Line Testing), you can continue to operate provided you have a contractor scheduled for a repair within 30 days of the failure and the repair is completed within six months of the failure.

**Interstitial Monitoring** – Although this is technically not part of the new regulations, it is something that is being enforced differently and is creating some real issues. NJ has always had a requirement that any double wall system installed after 1990 has to perform continuous interstitial monitoring. For years, many of these facilities utilized alternate methods and NJDEP accepted them. This will no longer be the case. This means that many sites will have to install sensors in containment areas they currently do not have them. Needless to say, this can create problems since many sites are not configured for this. The interpretation of which sites will need sensors installed and where they will need them is extremely complicated and too involved for this article. Your testing contractor should be familiar with this requirement and offer guidance. If at the time of an inspection the NJDEP determines that your site requires sensors, you will be issued an NOV and given 30 days to comply.

**Ball Floats** – One of the consequences of the new regulations is that ball floats cannot be repaired or



modified. This creates a few problems. One of those problems is that if you are utilizing ball floats for overflow protection and those ball floats are found to be damaged or too short, you will need to install either an audible alarm or a drop tube shutoff valve. This part of the rule is not a surprise, however, for your new overflow protection system to be compliant, you may have to remove the ball floats from the tank. The problem we are finding is that in many cases we are unable to remove the ball floats from the tank. This is really a case by case situation, but do not be surprised if your contractor is telling you that they will have to excavate.

**Water Disposal** – I hate to be the bearer of bad news, but the old practice of dumping water from containment areas onto the ground is not allowed. NJDEP has been crystal clear that water that has come into contact with containment areas in piping sumps is considered contaminated until proven otherwise (sampling). If you are seen pumping this water onto the ground it is considered a release into the environment and subject to all of the enforcement actions that go with that.

You need to make sure you are managing your waste properly. Typically water in the spill buckets is in small quantities and can be managed with a drum on site. Your containment areas can be a bigger problem but hopefully with the repairs that are required anyway you will be able to minimize water intrusion. In the meantime, make sure you utilize a disposal company to empty the sumps when necessary.

\* \* \* \*

It is no surprise that the rule changes have put quite a bit of stress on all of us. The good news is that NJDEP has made some accommodations that have allowed us to continue to work through this process. Despite this, there are some very significant challenges that lay ahead. Repairs due to testing failures remains a “black cloud” on the horizon as we enter into that phase of these requirements. I expect contractor timelines to be under increasing pressure as these additional deadlines expire so remain proactive and diligent with your facilities. As always, NJGCA and its affiliated members remain available to offer whatever support or guidance you may require.

*Manny Alvarez is the President of C-3 Technologies, an NJGCA MBP which provides several services to support owners and operators of underground storage tanks. Services include compliance testing, maintenance services, construction services, calibration, license and permitting assistance, NOV resolution, and VAC truck service waste disposal.*



Convergence Training. “Underground Storage Tank Requirements (UST) Training.” *Underground Storage Tank Requirements (UST) Training*, Convergence Training, [www.convergencetraining.com/underground-storage-tank-requirements-ust.html?utm\\_source=youtube&utm\\_medium=referral&utm\\_campaign=youtube-description&utm\\_content=associated course](http://www.convergencetraining.com/underground-storage-tank-requirements-ust.html?utm_source=youtube&utm_medium=referral&utm_campaign=youtube-description&utm_content=associated%20course).

# Save TODAY with NJGCA Member Benefit Partners!

## THE NJGCA MEMBER BENEFIT PARTNER PROGRAM

NJGCA has been working hard to bring you and your business value through our Member Benefit Partners (MBPs). Hopefully, you are already taking advantage of many money-saving plans offered by our Member Benefit Partners. Our 2019 Member Benefit Partner Brochure should have arrived and can be viewed on our website, and this year we introduced new Member Benefit Partners. They are listed in blue and marked with asterisks below. We are excited about the great opportunities that you have to save money with these partners!

### Here is a list of our current MBPs:

**ABLE-TECH** - Computers, Financial Management, Video Security Systems

**ACCESS ONE** - ATM Services

**AFFINITY FEDERAL CREDIT UNION** - Business Banking Services, Financing, Mortgages

**AMATO INSURANCE AGENCY** - Business, Garage Liability, Home and Auto Insurance

**AMERITRUST** - Workers Compensation Insurance (formerly Meadowbrook Insurance Group)

**ASSOCIATION MASTER TRUST (AMT)** - Health Coverage

**ATS ENVIRONMENTAL SERVICES** - Tank & Vapor Testing, NJDEP Compliance

**AUTOPART INTERNATIONAL** - Premium Parts Supplier

**AUTOMOTIVE TRAINING INSTITUTE (ATI)** - Education for a More Profitable Business

**BELLOMO FUELS** - Gasoline and Diesel Supplier

**BRENNAN LAW** - Environmental, Petroleum and Real Estate Law Specialists

**\*\*BUYWISE AUTO PARTS\*\*** - Auto Parts Supplier

**\*\*CASHA & CASHA LLC.\*\*** - Legal Services

**CBIZ INSURANCE** - Business, Garage Liability, Home and Auto Insurance

**C-3 TECHNOLOGIES** - Tank and Vapor Testing, NJDEP Compliance

**CHIESA SHAHINIAN & GIANTOMASI PC** - Legal Services

**COLE, SCHOTZ, MEISEL, FORMAN & LEONARD** - Legal Services

**CONSUMERS OIL CORP.** - Gasoline and Diesel Supplier

**CROMPCO** - Tank & Vapor Testing, NJDEP Compliance

**DANA TANK INSURANCE SPECIALISTS** - Underground Storage Tank Insurance

**\*\*DANA AUTOMOTIVE\*\*** - Auto Parts Supplier

**ENERGY MARKETING PARTNERS, INC.** - Gasoline and Diesel Supplier

**ENVIRONMENTAL ALLIANCE, INC.** - Environmental Remediation & LSRP Services

**GILL ENERGY** - Gasoline and Diesel Supplier

**HAROLD LEVINSON ASSOCIATES** - Convenience Store Distributor

**HOUGH PETROLEUM** - Gasoline, Diesel, Motor Oil & Lubricants Supplier

**\*\*HOROWITZ LAW GROUP\*\*** - Legal Services  
**LAW OFFICES OF KENNETH L. BAUM** - Legal Services

**LENDING CAPITAL** - Commercial Financing

**LIBERTY / EWING OIL** - Gasoline and Diesel Suppliers

**LISKO ENVIRONMENTAL** - Environmental Remediation & LSRP Services

**\*\*LOEFFELS'S WASTE OIL SERVICES\*\*** - Waste Oil Removal

**MARC LAW** - Legal Services

**MERCHANT PRO EXPRESS** - Credit Card Processing & Consulting

**MITCHELL1** - Shop Management System, OEM Information

**\*\*OIL DRI\*\*** - Spill Containment and Shop Supplies

**P.F.I. INC. / NORTHWEST PETROLEUM** - Gasoline and Diesel Supplier

**PALISADES FUEL** - Gasoline and Diesel Supplier

**\*\*PASHMAN STEIN WALDER HAYDEN\*\*** - Legal Services

**PEAK ENVIRONMENTAL** - Environmental Remediation & LSRP Services

**PPC LUBRICANTS/CASTROL OIL** - Motor Oil and Lubricant Supplier

**PRESTIGE ENVIRONMENTAL** - Environmental Remediation & LSRP Services

**QUICK & FRESH** - Convenience Store Distributor

**SAFETY-KLEEN** - Motor Oil and Lubricant Supplier & Environmental Solutions

**SALOMONE BROTHERS, INC** - Tank and Pump Replacement, Compliance Testing

**SERVICE STATION VENDING EQUIPMENT** - Service Station Vending, Air & Vacuum Systems

**SIMPAY** - Payroll Services

**SPARK CONTRACTORS** - Tank and Pump Replacement & Generator Installation & Service

**TMP ENERGY SOLUTIONS** - Discounted Electricity and Natural Gas

**TRINITY SOLAR** - Solar and Generator Power

**UNIFIRST** - Uniform Service and Station Supplies





# Bellomo Fuel

— *Specialized in Personal Service to Service Stations* —



## We Offer:

- ✓ Market driven supply and service agreements to maximize volume and margin
- ✓ Unique, local marketing packages to promote your station and increase visibility
- ✓ Realty and business brokerage specializing in service stations
- ✓ Equipment upgrades

908-486-3900

[www.bellomofuel.com](http://www.bellomofuel.com)





PRESORTED  
STANDARD  
U.S. POSTAGE  
PAID  
TOMS RIVER, NJ  
PERMIT No. 53

New Jersey Gasoline • C-Store • Automotive Association  
4900 Route 33 West, Suite 100  
Wall Township, NJ 07753  
[www.njgca.org](http://www.njgca.org)  
P: 732-256-9646 F: 732-256-9666

## Serving the Small Businesses That Serve The Motorist

**35 Years of Dedicated Services**

**Are YOU Tired of Broken Machines, Angry Customers or Missing/Late Commissions...**

**It's time you called SSVE!**  
Service Station Vending Equipment, INC  
Is the Largest Independently Owned Coin Operated Air & Vacuum Company in the NATION!

**We Buy IT  
We Install IT  
We Maintain IT  
You Share the Revenue**

**NO Cost  
NO Maintenance**

**Added Benefits to You**

- ★ Simple Commission Program
- ★ Payment Made at time of Collection
- ★ No waiting for a Check
- ★ 24 Hour Service
- ★ Externally Visible Coin Counters  
You know How much \$\$ is in the machine at all times.

**SSVE**  
Service Station Vending Equipment

You need to call us at:  
**1-800-AIR-USA1 / 1-800-247-8721**  
Web: [www.airusa1.com](http://www.airusa1.com)