

TIME RUNNING OUT TO ATTEND A NEW SAFETY RULES MEETING

Just over a month remains until the new safety standards regulations come into force on July 1st. The new rules will make across the board changes to the current regulations which have been in force, with few changes, since the 1970s.

The Ministry of Transportation, with assistance from the Automotive Aftermarket Retailers of Ontario (AARO), continues to hold very informative meetings right across the province. Meetings are scheduled in the GTA during the last half of May and then across northern Ontario into late June.

New meetings have recently been added ... Sarnia on May 27th, Smiths Falls on June 6th and several locations in northwestern Ontario later in June.

Contact AARO at 1-800-268-5400 for specific locations and times and to RSVP, as meetings fill up quickly.

Safety Inspection Report Forms, required for all Motor Vehicle Inspection Stations, are now available and specially priced for UCDA members. Regulation compliant tint meters are also available to UCDA members.

Order forms for the Inspection Reports and tint meters are included with this issue of Front Line. The tint meters are also available at your local NAPA store.

To view the Ministry's guide to the new regulations click on this link: <http://www.mto.gov.on.ca/english/trucks/pdfs/passenger-light-duty-vehicle-inspection-standard.pdf>.

Upcoming Meetings

May

May 17 Brantford May 25 Toronto

May 18 Milton May 26 Toronto

May 19 Mississauga May 27 Sarnia

May 24 Mississauga May 31 Brampton

June

June 1 Brampton June 16 Sault Ste. Marie

June 2 Orangeville (English/French)

June 6 Smiths Falls June 17 Sault Ste. Marie (French)

June 7 Timmins (English) June 21 Thunder Bay (English)

June 8 North Bay (French) June 22 Thunder Bay (French)

June 9 North Bay (English) June 23 Dryden

June 14 Sudbury (English) June 24 Kenora

June 15 Sudbury (French) June 25 Fort Francis

Carpages.ca ... Home of UCDA Member Vehicles

Since 2008, the UCDA has been working with Carpages.ca to help members find an affordable online advertising solution. Over the past couple of years, Carpages has expanded to also offer dealer websites and inventory syndication.

As a UCDA member, you can benefit from the Spring and Fall marketing campaigns that we run in order to promote our members to consumers throughout Ontario.

However, if your inventory is not being advertised on Carpages, you're not taking advantage of this opportunity.

If every member's inventory were advertised on Carpages, we would easily have the largest selection of dealer inventory of any website in Ontario, and likely even in Canada. It's not expensive to get your inventory on the

website, with prices starting at less than \$100 per month.

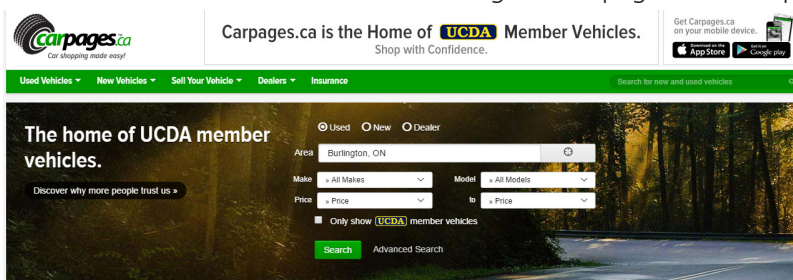
In addition to having your inventory on the Carpages.ca website, your vehicles will also be advertised to consumers using the Carpages mobile apps for iPhone and Android.

With nearly 20,000 monthly app users alone, this is an audience you need to be in front of.

When you advertise with Carpages, your inventory is automatically

syndicated to Canadian Black Book's used car website, and you have the option to syndicate to Kijiji, CarGurus, and other portals as well.

If your inventory isn't already on Carpages, consider putting it on today. For more information about how to do this and for pricing, send an email to ucda@carpages.ca.



Vehicle Towing & Storage Amendments

As we wrote in January's Front Line, significant amendments to the *Repair and Storage Liens Act* (RSLA) and *Consumer Protection Act* (CPA) affecting the towing and storage industry are set to come into force on July 1, 2016.

The following summary of changes that could affect members, is an edited version of material published on-line by Service Ontario.

Proposed Repair and Storage Lien Act Regulations *Fair Value*

To determine the fair value of the repair or part of a repair of a vehicle, in the absence of a properly signed work order, the following factors will be considered and may be included in calculating the fair value amount:

- The repairer's fixed costs, variable costs, direct costs and indirect costs;
- The repairer's profit; and
- Other relevant factors.

To determine the fair value of storage, storage and repair, or storage and part of a repair of a vehicle, certain factors will continue to be included, such as expenses related to insurance and labour, and all lawful claims for money advanced in relation to the vehicle.

This reflects the current rules, under the RSLA, that

require that those amounts be included in determining fair value.

Notice

Where a storer knows or has reason to believe that a motor vehicle being stored was received from a person other than the owner or a person having the owner's authority, the current 60-day notice period will be shortened to 15 days if the motor vehicle is registered in Ontario.

The notice period will remain 60 days for vehicles registered in another province or country.

Where documents are required to be or may be given under the RSLA, they can be sent electronically or faxed, in addition to the methods permitted by the RSLA, such as delivering the document personally or by certified or registered mail.

No lien can be claimed for tow and storage services for consumers, that are subject to the CPA, unless the provisions regarding disclosure, authorization, invoicing, insurance and disclosure of an interest have been complied with.

For example, if an authorization to tow a vehicle for a consumer is required and none is obtained, no lien can be claimed for that unauthorized tow service.

Indian Status Cards

A lot of attention has recently focused on the Supreme Court of Canada's ruling on which level of government is responsible for aboriginal groups identified as "Métis" and "non-Status" Indians.

We've had several inquiries about how this affects current tax exemption rules.

Now that the federal government has been told these groups are their responsibility, negotiations will begin on all manner of hunting, fishing, education, health and tax issues.

For motor vehicle dealers, consumers who identify as Métis or non-Status Indians may claim to be tax exempt on vehicle purchases, based on the effect of the recent court decision.

However, no changes have been made yet by the federal government to the current requirements to qualify for a tax exemption.

A "Certificate of Indian Status" card, issued by the Government of Canada, remains the ONLY form of identification acceptable to exempt an individual from taxes on a vehicle sale or lease.

The holder of a "Status" card will only pay 5% tax on the purchase of a motor vehicle from a dealer, if delivery takes place at the dealership. The card holder will pay no tax if the vehicle is delivered by the dealer to the purchaser on an Indian Reserve. This applies regardless of where the Status Indian lives.

To see what a Certificate of Indian Status card looks like, visit: <http://www.aadnc-aandc.gc.ca/eng/1100100032424/1100100032428>

For detailed rules please visit <http://www.ucda.org/DealerInfo/StatusIndianFAQ.aspx> or contact our Legal Department anytime.

Métis and other Aboriginal ID cards, membership or association cards are not issued by the Government of Canada and do not exempt the holder from paying H.S.T.

The UCDA will continue to monitor developments and let members know of any changes to the current requirements.

In the meantime, members should continue to ask for a Certificate of Indian Status card for anyone claiming to be tax exempt, as the exemption is only available to Status Indians, at least for now.

Compliance Quiz

Here's this month's compliance quiz. The answers are on page 4. Good Luck!

1. When advertising, dealers are required to provide:

- (a) address and registered name
- (b) registered name and business telephone number
- (c) email, address and legal name
- (d) a 1-800 number for further information

2. CAMVAP is

- (a) the licence body for motorcycle dealers
- (b) a paramilitary force
- (c) available to resolve some disputes concerning manufacturer's defects
- (d) a Quebec dessert
- (e) none of the above

3. A U.S. consumer buys a car, takes delivery and drives home. He paid the dealer H.S.T. That customer can get the tax refunded by the Canada Revenue Agency?

True False

4. The Supreme Court of Canada recently ruled that Métis and non-status Indians are "Status Indians" under the Canadian Constitution. As the responsibility for Indians is a Federal one, they are now entitled to tax exemptions of the purchase of motor vehicles from a dealer.

True False

5. A vehicle with a lien on it can still be transferred from one owner to another.

True False

**UCDA VEHICLE
INFORMATION SEARCHES**

www.ucdasearches.com

Tel: 416-599-7412 or 1-800-668-8265

Fax: 416-232-0775

UCDA Consignment Agreement Upheld By Court

UCDA forms are having a good run in Ontario courts lately!

We recently reported on an Appeal Court decision supporting the wording of the UCDA's Intention to Sell letter under the *Repair and Storage Liens Act* ("RSLA"). Now comes word of an Ontario small claims court upholding storage charges under the RSLA claimed through use of the UCDA's Consumer Consignment Agreement.

A Consumer Consignment Agreement is required whenever an Ontario dealer takes a vehicle on consignment from a non-dealer.

The UCDA's agreement provides that if the vehicle is not sold and the agreement is cancelled, the dealer can charge storage starting from the fourth day after cancellation of the agreement.

The court held that, even though the daily storage amount was not filled in, the language used in the agreement justified \$50 per day in storage. It met the RSLA requirement that, where storage is agreed to, but no actual dollar amount is agreed upon, storage may be charged at "the fair value of the storage".

The Consignment Agreement is available to UCDA members free of charge.

Quiz Saves Member Money!

Regular readers of Front Line will know that since January, we've been running a monthly quiz to test members' knowledge of the *Motor Vehicles Dealer Act, 2002*, and other legislative requirements.

We often throw in a curve to make the questions a little more challenging. Members have commented that they've enjoyed the quiz and many have learned things or been reminded of things that they may have forgotten over time.

Well, one member not only learned something he didn't know before, but our quiz likely saved him from a hefty fine.

Question 3 of the Quiz in the March issue of Front Line was a True/False question that read:

A dealer cannot sell a car with a non-functioning catalytic converter if the car was equipped with one when it was sold as new?

The answer is True. It's illegal for anyone, dealer or otherwise, to operate, offer for sale, or sell a vehicle without a properly functioning catalytic converter if it was

originally equipped with one. In fact, the same applies to any pollution control equipment.

Before reading the March issue of Front Line the member was unaware of this requirement. He had an older pickup in his inventory that he'd been driving and he knew the cat converter had been removed before he bought it.

He decided to purchase and install one and wouldn't you know it, he was pulled over by an MTO officer. The officer asked about the catalytic converter, apparently expecting that the vehicle wouldn't have one. Our member told him it did. The officer looked under the truck and was surprised to see a properly installed cat converter staring back at him.

The potential fines under the Environmental Protection Act can go as high as \$50,000 for an individual and \$100,000 for a corporation. Though highly unlikely for a first offence, it is likely that our member would have been facing a fine in the neighbourhood of \$1,000 if the inspector hadn't seen the cat converter when he looked underneath the truck.

Quiz Answers

1. **(b)** The dealer's name and phone number are required in all on-line, print and broadcast ads.
2. **(c)** CAMVAP is a binding arbitration program for newer vehicles, available to owners of most makes, which can order vehicles to be repaired at no cost to the owner or, in some cases, order a refund of the purchase price and cancellation of the sale.
3. **False.** U.S. residents purchasing vehicles, or anything else, for personal use (not re-sale) are NOT entitled to a refund of HST paid in Canada, if they take delivery in Canada. In order to be exempt from HST, the selling dealer would need to export the vehicle to the U.S., so that delivery takes place south of the border.
4. **False.** Not yet. As a result of the recent court decision, the Federal Government will need to negotiate with Métis and other Aboriginal groups not currently considered to be "Status Indians" and establish a system to recognize them that may entitle them to tax exemptions in the future. The UCDA will monitor the situation closely and keep members up-to-date on future changes.
5. **True.** The presence of a lien does not stop a vehicle's registration from being transferred. However, members should never sell or transfer a vehicle's registration with a lien still registered unless they have proof that the lien holder has been paid or is no longer claiming any interest in the vehicle.

ALL MVIS STATIONS

... Be Ready For The New Safety Rules

Inspector II TM 2000 Window Tint Meter



Specifications

Wavelength	550 nanometers
Bandwidth	50 nanometers
Accuracy	± 2 percentage points
Repeatability	1 percentage point
Measurement range	0% to 100%
Temperature range	0° to 110° F
Humidity range	0% to 100% non-condensing
Sample thickness	Up to 0.25 in. (6.35 mm)
Sample size	1 x 3 in. (25 x 75 mm) minimum
Testing time	4 seconds
Effect of stray light	Not affected
Lamp life	10 years
Power source	2 lithium batteries type CR2032 (3V) (included)
Weight	3.2 oz. (90 grams)
Dimensions	3.75 x 1.75 x 1.25 in. (95 x 45 x 30 mm)



ORDER INFORMATION

Quantity Ordered	_____	x \$249.99	_____
SHIPPING ... All Orders	\$	FREE	
SubTotal	\$	_____	
Add 13% HST	\$	_____	
Grand Total	\$	_____	

How To Order:

Email Order Form to: m.muru@ucda.org

Fax: 416-231-6412 or call: 416-231-2600 or 1-800-268-2598

SOLD TO:

MEMBER NAME: _____			MEMBER #: _____		
CONTACT NAME: _____			EMAIL ADDRESS: _____		
TELEPHONE #: _____		CELL #: _____		FAX #: _____	
SHIP TO (IF DIFFERENT THAN ADDRESS BELOW): _____ _____					
METHOD OF PAYMENT:			CREDIT CARD INFORMATION		
<input type="checkbox"/> VISA <input type="checkbox"/> MASTERCARD			NAME ON CARD: _____		
<input type="checkbox"/> CHEQUE			CARD #: _____		
<input type="checkbox"/> INVOICE ME			EXPIRY DATE: _____		
			Signature _____		



Used Car Dealers
Association Of Ontario

230 Norseman St., Toronto, ON M8Z 2R4
www.ucda.org

**BRAND
NEW**

Passenger/Light-Duty Vehicle Inspection Report

Passenger/Light-Duty Vehicle Inspection Report

LICENCEE (MVIS) NAME, LICENCE NUMBER, ADDRESS & TELEPHONE #

DATE OF INSPECTION
____ / ____ / ____
Year / Month / Day

VEHICLE INFORMATION

YEAR	MAKE	MODEL
V.I.N. #		
ODOMETER READING OF THE VEHICLE AT THE END OF THE INSPECTION		
<input type="checkbox"/> KMS. <input type="checkbox"/> MILES		

MECHANIC'S NAME

TRADE CERTIFICATION NUMBER
3 | 1 | 0 |

INSPECTION RESULTS PROVIDE ANY SAFETY STANDARDS CERTIFICATE NUMBERS ISSUED

PASS FAIL

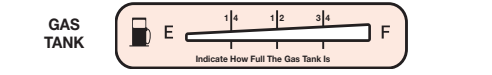
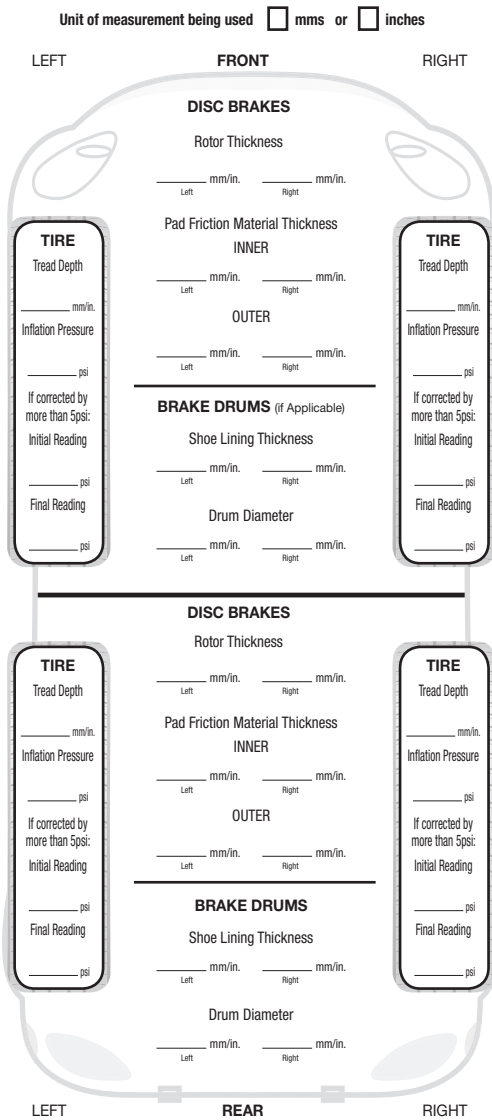
IS THIS AN ADDITIONAL OR SECOND INSPECTION?
 NO YES IF YES:

It is a condition of a licence that the licensee not charge an additional inspection fee if a vehicle is inspected at a station, repairs or adjustments to the vehicle or its equipment are required to qualify it for a safety standards certificate or for an annual inspection sticker or a semi-annual inspection sticker, the inspection fee charged by the licensee is paid, the required repairs or adjustments to the vehicle or its equipment are made at a place other than the station; or the vehicle is brought back to the station for issuance of the certificate or affixing of a sticker within ten days after the original inspection.

Note: An additional fee may be charged if a second inspection of a wheel brake assembly must be carried out before a safety standards certificate is issued or before an annual inspection sticker is affixed to the vehicle.

INSPECTION REPORT DETAILS

Tell-Tales (an optical signal that, when lit, indicates the activation or deactivation of a device, its correct or defective functioning or condition, or its failure to function) indicating a fault:



**DESIGNED FOR
UCDA MEMBERS
CERTIFYING USED
VEHICLES**

- Mandatory with Safety Standards Certificate
- Effective July 1st, 2016
- Meets All MTO Requirements
- Special Member Pricing
- 2 Copies
... 1 for you
... 1 for your customer
- Takes ... minutes to complete
- Easy to Use
- ORDER NOW
... be ready for July 1st

**CAN BE ORDERED
FOR VEHICLES BEING
CERTIFIED OFF-SITE**



Used Car Dealers Association Of Ontario
230 Norseman Street, Toronto, Ontario M8Z 2R4
Tel: 416.231.2600 or 1.800.268.2598 • Fax: 416.232.0775 • www.ucda.org



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Passenger/Light-Duty Vehicle Inspection Report

ORDER FORM

SOLD TO:

MEMBER NAME:	MEMBER #:
CONTACT NAME:	EMAIL ADDRESS:
TELEPHONE #:	CELL #:
SHIP TO (IF DIFFERENT THAN ADDRESS BELOW):	FAX #:
METHOD OF PAYMENT:	CREDIT CARD INFORMATION
<input type="checkbox"/> VISA <input type="checkbox"/> MASTERCARD	NAME ON CARD: _____
<input type="checkbox"/> CHEQUE	CARD #: _____
<input type="checkbox"/> INVOICE ME	EXPIRY DATE: _____
	Signature

IMPRINTED FORMS INFORMATION:

PRINT CLEARLY: The information you give is what will appear on your order.

LICENCEE (MVIS) NAME: _____

ADDRESS: _____

CITY: _____

PROVINCE: ON POSTAL CODE: _____

TEL #: _____ FAX #: _____

LICENCE # _____

LICENCEE (MVIS) NAME, LICENCE NUMBER, ADDRESS & TELEPHONE #

This is the amount of space available for imprinting

NON-MEMBERS

YES! I would like to become a UCDA member. Please sign me up via Credit Card (VISA or MasterCard) or enclosed Cheque. I am aware the total, annual fee is just \$226.00 (\$200.00 + \$26.00 HST).

PRICING

IMPRINTED PRICING Available Black Only

FORMS (Available in packages of 100 only)

ADD 1 time set-up cost \$ 15.00
(Not payable on subsequent repeat orders)

1 to 4 packages @ \$20.00 per pkg
 # of Packages Ordered x \$20.00

ADD Printing Cost \$35.00

5 to 9 packages @ \$15.00 per pkg
 # of Packages Ordered x \$15.00

ADD Printing Cost \$50.00

10 to 20 packages @ \$15.00 per pkg
 # of Packages Ordered x \$15.00

ADD Printing Cost \$65.00

NON-IMPRINTED PRICING

Available in packages of 100 only

1 to 4 packages @ \$20.00 per pkg
 # of Packages Ordered x \$20.00

5 to 9 packages @ \$15.00 per pkg
 # of Packages Ordered x \$15.00

SHIPPING ... All Orders \$ 10.00

Sub Total \$ _____

Add 13% HST \$ _____

Grand Total \$ _____