

# Dealer Advisory

May 1, 2020



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A regularly updated "Coronavirus Toolkit" is available within the MADA website. [Click here](#). A new section on guidance for reopening has been added.

## State of Emergency and State of Disaster are Extended Through May 28

Governor Whitmer signed new emergency and disaster declarations yesterday, using independent sources of statutory authority. The new state of emergency and state of disaster are effective through May 28, 2020 at 11:59 pm. The governor will evaluate the continuing need for the order prior to its expiration, terminate the states of emergency and disaster if the threat or danger has passed. The governor has further said that she will not sign any legislative bills that constrain her ability to protect the people of Michigan from this deadly virus in a timely manner, and that she intends to veto any such bill when presented to her. ([see press release](#))

Governor Whitmer has also signed Executive Order 2020-69 which extends, through May 28, her previous order that temporarily closes certain places of public accommodation such as theaters, bars, casinos, and more. In order to maintain social distancing the order also limits restaurants to carry-out and delivery orders.

Executive Orders related to this information:

- [EO 2020-66](#)
- [EO 2020-67](#)
- [EO 2020-68](#)
- [EO 2020-69](#)

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## What Does This Mean for Dealerships?

The executive order currently regulating the way dealerships can operate is [EO 2020-59](#), and it is not changed by these new executive orders. EO 2020-59 temporarily suspends activities that are not necessary to sustain or protect life, and it is set to expire on May 15, 2020 at 11:59 pm.

Under this order, automotive repair and maintenance components of a dealership can still remain open for in-person work. Showrooms of automotive dealerships are closed, but workers at auto dealerships who are necessary to facilitate remote and electronic sales or leases, or to deliver automobiles to customers are permitted. All work must continue to be performed remotely to the greatest extent possible, following CDC and Michigan guidance.

The governor has commented that she will continue to monitor the situation and make changes to her executive orders to allow some other business types to open, as she deems it appropriate.

There have been a lot of interesting discussions in Lansing over the past few days, but the governor has made it very clear in her press conferences that *she* is in charge and *she* will be the one person making the decision about when businesses can open.

Dealers throughout the state anxiously await the governor's decision on when automobile dealers can open their showrooms for customers. We will continue to convey to the governor and her team that dealerships have the resources and the ability to open their showrooms under safe conditions, just as most other states have allowed.



## DOL Issues Guidance to Aid Employee Benefit Plans

**Apr. 30** -- The Department of Labor's Employee Benefits Security Administration issued [deadline relief and other guidance](#) under Title I of the Employee Retirement Income Security Act of 1974. The guidance helps employee benefit plans, plan participants and beneficiaries, employers and other plan sponsors, plan fiduciaries, and other service providers impacted by the coronavirus. Also see [DOL's FAQs for participants and beneficiaries](#).

For more information on how employers can lower health insurance expenses, see [NADA's Reduce Annual Health Insurance Costs Within 90 Days](#).

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## IRS Releases FAQs on Employee Retention Credit

**Apr. 30** -- The IRS released [FAQs on Employee Retention Tax Credit](#) under the CARES Act. The tax credit is fully refundable for employers, equal to 50% of qualified wages that eligible employers pay their employees. The maximum amount of qualified wages per employee is \$10,000, so that the maximum credit for qualified wages paid to any employee is \$5,000.

*Note: Employers who have received loans through the PPP are not eligible to benefit from the Employee Retention Tax Credit.*

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## NADA Updates FAQs on CARES Act Paycheck Protection Program

**Apr. 30** -- NADA has updated its [CARES Act FAQs](#) to address new elements of the Paycheck Protection Program (PPP). The FAQs incorporate the new guidance on PPP loans and information on SBA Economic Injury Disaster Loans, tax provisions and changes to unemployment assistance.

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## White House Releases Testing Blueprint

Some states are in the process of reopening some businesses by next week. As part of the three-phased [Guidelines for Opening Up America Again](#) initiative, President Trump recently released a [Testing Overview](#) and [Testing Blueprint](#). The guidelines aim to help states reopen in the coming weeks.

The U.S. Environmental Protection Agency and the Centers for Disease Control and Prevention also released updated [guidance to help facility operators and families properly clean and disinfect spaces](#). The guidance was developed by the White House and provides step-by-step instructions for public spaces, workplaces, businesses, schools and homes and falls in line with the Opening Up America Again guidelines.

For more information on safely operating a dealership during COVID-19, see [NADA's Dealership Health and Safety Concerns During a Pandemic FAQs](#).

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## Preparing to Reopen: Guidance & Resources

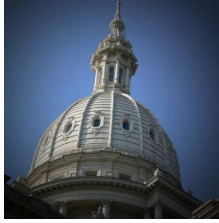
*Note: a new section has been added to our online [Coronavirus Toolkit](#) with quick links to guidance and resources for dealers planning their reopening.*

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As you are making plans to reopen your showroom, when the governor allows, you may find the following **NEW** and **UPDATED** resources helpful.

- **Apr. 30** -- [Plante Moran: your guide to ramping up or restarting operations](#)
- **Apr. 30** -- [Fisher Phillips Post-Pandemic Back-To-Business FAQs For Employers](#)
- **Apr. 29** -- [NADA FAQ: Dealership Health and Safety Concerns During A Pandemic](#)
- **Apr. 28** -- [CDC & EPA Reopening Guidance for Cleaning and Disinfecting](#)

## ADM Capitol Corner



The Auto Dealers of Michigan, LLC offers [weekly updates](#) on Michigan legislative news.

- Gov Terminates Existing Emergency; Declares New One Through May 28
- Effort To Extend EOs Legislatively Fails In Senate
- Nessel To Investigate State's COVID Contact-Tracing Contract Issue

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Please feel free to contact DADA at (248) 643-0250 or MADA at (800) 292-1923 if you have any questions.

*This advisory has been prepared in conjunction with  
Colombo & Colombo, P.C., and Abbott Nicholson, P.C.*

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### **Michigan Automobile Dealers Association**

1500 Kendale Boulevard, P.O. Box 2525

East Lansing, MI 48826-2525

[www.michiganada.org](http://www.michiganada.org)

Phone (517) 351-7800

Fax (517) 351-3120

### **Detroit Auto Dealers Association**

1900 West Big Beaver

Troy, MI 48084-3537

[www.dada.org](http://www.dada.org)

Phone (248) 643-0250

Fax (248) 643-8788