

Dealer Advisory

May 21, 2020



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News from the Secretary of State's Office

Coming Soon...SOS Branch Office Update

We are anticipating an announcement from Secretary of State Jocelyn Benson this week about a reopening plan for branch offices. Dealers will receive more information soon, directly from the Michigan Department of State. Please make sure you read your upcoming CARS e-Services email. We will also review the information and follow up with dealers.

Revisions to the Michigan Dealer Manual

The Michigan Department of State's Business Compliance and Regulation Division has updated [Chapter 4 of the Dealer Manual](#). Please ensure you refer to the updated version that is posted on the Department's website.

The following sections have been updated:

- 4-1.2: Record Retention
- 4-1.3: Record Accuracy
- 4-3.2: Non-conforming Titles
- 4-4.1: Odometer Disclosure Statement Requirements
- 4-4.2: Disclosure Statement Retail Transactions
- 4-4.6: Odometer Disclosure Statement Out-of-state titles
- 4-5.1: Certificates of Origin -Manufacturer Certificate of Origin (MCO) Manufacturer Statement of Origin (MSO)
- 4-7: Door Pillar Stickers
- 4-8: Vehicles Without Odometers or With Broken Odometers
- 4-8.1: Requirements
- 4-8.2: Completing Odometer Mileage Disclosure Statement
- 4-9.2: Applying for Michigan Resale Title for Canadian Vehicles

Most of the updates appear to be minimal, but dealers should be aware of the following change regarding out-of-state titles:

- **NEW:** Out-of-state titles are handled the same as Michigan titles. Odometer mileage disclosure is made in the appropriate space provided on out-of-state titles. If all reassignment spaces are used, the Michigan dealer must **surrender the out-of-state title and obtain a Michigan resale title prior to the vehicle being offered for sale.**
- **OLD:** If all reassignment spaces are used, the Michigan dealer must **surrender the out-of-state title and obtain a Michigan resale title.**

Other News & Updates

More Information from NADA on PPP Loans

The SBA has updated the PPP Loan Report and question 48 in its FAQs.



- **May 19** -- [SBA PPP FAQs](#) (question 48): The deadline for lenders to electronically submit

the initial SBA Form 1502 reporting information has been extended to: (1) May 29, 2020, or (2) 10 calendar days after disbursement or cancellation of the PPP loan.

- **May 18 -- [SBA Paycheck Protection Program Loan Report Round 2](#)**

NADA has also updated its [analysis of Paycheck Protection Program loans](#) to reflect the Small Business Administration and Treasury Department's [forgiveness application documents](#) published on May 16. NADA urges dealers to review these items carefully and provide the application and accompanying documents to their legal and accounting advisors. NADA's analysis will be updated as more federal guidance is released.

Updates from Fisher Phillips

May 20 Legal Alert -- [Fisher Phillips Litigators Pull Back Curtain On 2 Novel Trial Strategies That Will Come Up In COVID-19 Litigation](#)

In this three-minute recap video containing interviews with Fisher Phillips litigators and an experienced general counsel, you'll learn about two of the most creative strategies that plaintiffs' attorneys are beginning to employ to their benefit to obtain jaw-dropping jury and arbitration awards – including tactics that begin to unfold at the very onset of litigation.

May 20 Legal Alert -- [OSHA Ramps Up Employers' COVID-19 Recordkeeping Obligations](#)

The Occupational Safety and Health Administration just issued new guidance for enforcing its COVID-19 recordkeeping requirements, soon requiring covered employers to make an increased effort to determine whether they need to record and report coronavirus cases in the workplace. This new standard, which will become effective on May 26, reverses course from an agency policy released a few weeks ago...

May 21 -- [Post-Pandemic Back-To-Business FAQs For Employers](#)

New questions include:

- A customer or guest has indicated that they are exempt from any facemask requirement due to an underlying medical condition, and refuse to provide any further information. What should we do?
- Several of our employees want to change their Section 125 cafeteria elections due to unexpected COVID-19 medical and childcare challenges. Furloughed employees want to change or drop health coverages and employees caring for children are concerned about being able to exhaust growing flexible spending account balances. Do employees have to wait until open enrollment to change their elections, as currently required by our plan?

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
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