

Official Publication of the California New Car Dealers Association

CALIFORNIA NEW CAR DEALER QUARTERLY



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Mike Weseloh



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- Buy-Sell Agreements
- DMV, BAR and other governmental approvals
- Lender flooring and capital loan agreements
- Entity formation and structure
- Shareholder Agreements
- Manufacturer approvals and relations
- NMV non-profit association representation

Estate Planning

- Succession planning for business continuation
- Family estate planning (wills and trusts)

Tax

- Property tax planning, audits and appeals
- Federal estate and gift tax controversies with IRS
- EDD audits

Business Litigation

- Consumer Legal Remedies Act lawsuits
- Sales and Service Agreements
- Disputes before the CA New Motor Vehicle Board
- Consumer claims regarding the sale/lease of autos
- Manufacturer audit disputes
- Hearings before the AQMD, RWQC and OSHA

Real Estate

- Dealership site acquisitions and lease agreements
- Lender opinion letters
- Relocations

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- Arbitration agreements
- Wage and hour class action lawsuits
- Private Attorneys General Act (PAGA) claims



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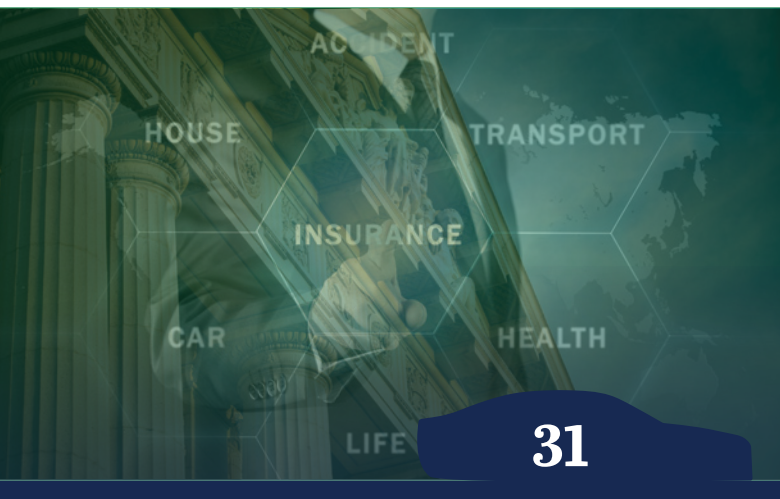
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Among the firm's clients are a number of dealer associations, including the California New Car Dealers Association and the Greater Los Angeles New Car Dealers Association.

For more information on the firm, see the Manning, Leaver, Bruder & Berberich, LLP website at:

www.manningleaver.com
or call us at 323-937-4730
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801 S. Figueroa St., Suite 1150
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PRACTICE AREAS

LITIGATION

- General trial
- Consumer class action defense
- New Motor Vehicle Board representation
- DMV accusations
- Bureau of Automotive Repair representation

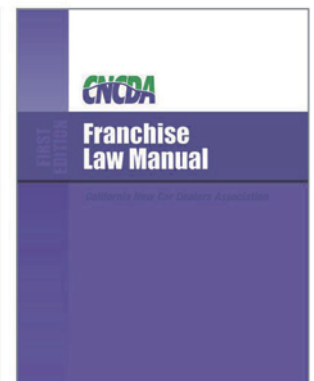
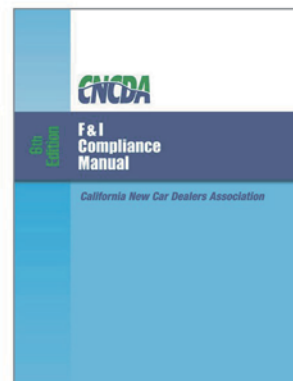
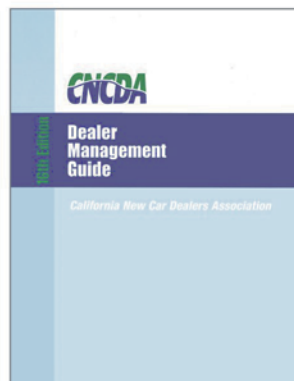
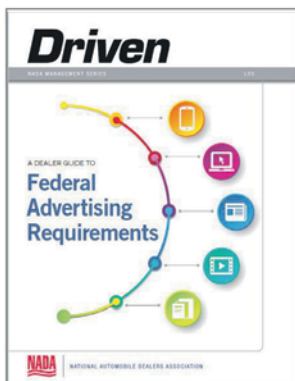
TRANSACTIONAL

- Buy/sell agreements
- Real estate sales and leases
- Formation of entities
- Loans and construction process
- Franchise and business opportunities

COMPLIANCE

- General regulatory compliance
- F&I training
- Advertising review
- DMV/BAR licensing
- Production of manuals¹

¹The firm has authored a number of compliance manuals, including: CNCDA Management Guide, CNCDA Franchise Law Manual 6th edition of CNCDA F&I Compliance Manual, NADA Dealer Guide on federal advertising requirements, and MLBB California Auto Dealer Advertising Law Manual.





President's Message

BRIAN MAAS
President
California New Car Dealers Association

As president of the California New Car Dealers Association, I am excited to go into our second year of publishing California New Car Dealer Quarterly. With positive feedback from year one, this publication is yet another avenue for us to share valuable association updates and industry developments.

As we kick off 2020, it is my honor and privilege to enter another year of leading CNCDA. This is my 18th year at the association and the seventh year as your president. This long-standing experience has taught me that the core missions of the association — advocacy and compliance — only get more challenging each year. As we face increasingly tough climates in the political, legal, regulatory and legislative arenas, your Association becomes even more vital to the future of all California franchised new car dealers. Together we can make a difference and overcome anything the courts, legislature or the manufacturers throw your way.

With a successful 2019 behind us, I am eager to hit the ground running this year. We have a packed year ahead of us, starting with CCPA seminars that will take place in January and February statewide at eight locations. As you all know, the CCPA has come fast and furious, and as of Jan. 1, 2020, it is now law. Our CCPA compliance seminar series is specifically designed for franchised new-car dealers and will provide practical advice on how to comply with the CCPA and learn about how to enhance data security at your dealerships. I strongly encourage all dealerships to participate in this critical compliance seminar, ensuring you are up to speed and compliant on everything related to the CCPA.

This spring, also look for a new seminar series updating our dealer members on all the positive changes we secured with the passage of AB 179 last year. Several provisions in the law have changed and we look forward to keeping you up to date on why this is important and valuable to your dealership.

This year is also going to be moving quickly on the event front. Coming up next month, we will be hosting our Welcome Party at the NADA Show in Las Vegas, Feb. 15. Following that is Dealer Day March 18 in Sacramento. If you have never attended Dealer Day, rest assured it is the event of the year and provides exceptional value to our efforts here in Sacramento. With more than 200 attendees, it is the chance to meet with legislators and continue to impress upon them why your dealerships are critical to local economies and communities. Every year we continue to fight an uphill battle in the Legislature; this year will be no different. I strongly urge you to come to Sacramento and make a difference on March 18. Last, but certainly not least, our Annual Convention will be making its way down to beautiful Southern California from Oct. 4-7. This year we are looking forward to staying at the stunning Ritz-Carlton in Laguna Niguel, overlooking the Pacific Ocean. We hope you, your families and dealership employees can attend this year's convention. Stay tuned for more details to come.

We will also remain focused on our wage and hour efforts as 2020 unfolds. As you may be aware, this is our second year of this longterm effort aimed at addressing the perpetual crisis that California dealers and California businesses are plagued with when it comes to the employment space. This issue will continue to be a priority for the association, and we look forward to engaging you when the time is right.

I speak for the entire team at CNCDA when I say we look forward to another successful year focused on protecting and promoting the interests of the nearly 1,400 franchised new car dealers across California. Thank you for your membership, and as always, I look forward to your participation and engagement in 2020. ◀

Brian Maas
President, CNCDA



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Upcoming Events



JANUARY 2020

New Laws Seminar Series

Webinar: January 14
Redding: January 15

California Consumer Privacy Act Seminar Series

Pleasanton: January 21
Bakersfield: January 23
Ontario: January 28
Glendale: January 29

FEBRUARY 2020

California Consumer Privacy Act Seminar Series

Anaheim: February 4
San Diego: February 5
Sacramento: February 11
Webinar: February 26

Welcome Party at the 2020 NADA Show

The Wynn, Las Vegas
February 15

MARCH 2020

CNCDA Dealer Day

Sacramento, CA
March 18

COMING IN 2020!

Franchise Law Seminar Series
Employment Law Seminar Series
HR Hotlink Seminar Series
New Laws Seminar Series
Northern California Member Appreciation Dinner
Southern California Member Appreciation Dinner
NADA 2020 Washington Conference

SAVE THE DATE!

2020 ANNUAL CONVENTION

The Ritz-Carlton, Laguna Niguel
October 4 - 7, 2020



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Mark Normandin
Vice-Chairman
Normandin Chrysler
Jeep Dodge RAM Fiat



John Oh
Secretary/Treasurer
Lexus of Westminster



Ted Nicholas
Immediate Past Chairman
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Tony Toohy
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Auburn



Dave Moeller
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Daly City



Cheryl Bedford
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Lompoc



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Steve Kwak
AutoNation
Toyota Cerritos



Rick Niello, Jr.
The Niello Company



Adam Simms
Price Simms Holdings



David Simpson
Simpson Chevrolet of Irvine

A Look Back at CNCDA

Significant Wins and Accomplishments



1. **Proposition 64, (2004).** CNCDA raised \$5.8 million in direct dealer contributions and co-led the coalition to support the successful initiative to curb shakedown lawsuits.
2. **AB 179, (2019).** Overcoming significant manufacturer opposition, the unanimous passage and signature on AB 179 was a major step forward in CNCDA's commitment to a stronger new motor vehicle franchise system. AB 179 has strengthened and updated California's new motor vehicle franchise laws by enforcing accountability for unlawful treatment by manufacturers, addressing the inappropriate treatment of dealers and conforming California franchise laws to recent actions in other states, most notably retail warranty reimbursement.
3. **TrueCar Settlement (2017).** Two and a half years after the initial lawsuit was filed against TrueCar, CNCDA achieved the most significant legal victory in the history of the association. CNCDA sued TrueCar in 2015, challenging the company's lack of licensure in the state of California. As a direct result of the lawsuit, TrueCar changed its business model and paid CNCDA more than \$1.5 million in legal fees.
4. **Doc. Fee Increase, EVR Mandate and Title-Brand Notices (2011).** There is an increased cap on the doc processing charge from \$55/sales and \$45/leases to \$80 while allowing pass-through of hard costs for the Electronic Vehicle Registration (EVR) mandate. The change requires a check of federal salvage, junk and title-brand database, ensures competition for CarFax, and provides consumer benefits with red notices on vehicles our members don't want to sell.
5. **Petition and DMV Accusation against Chrysler for Downtown LA Factory Store (2011).** CNCDA successfully persuaded NMVB to order the DMV to investigate Chrysler for the Village Motors store. The DMV accused Chrysler of violating the law and lying to investigators. The DMV ordered Chrysler to sell its store to an independent dealer and assessed nearly \$1 million in penalties.
6. **Car Buyer's Bill of Rights Compromise (2005).** This compromise prevented the qualification of a much more onerous initiative measure with a three-day cooling-off period and financing limitations.
7. **Contributed over \$3.9 million in Direct Contributions to Dealer Friendly Candidates in California (2003-2017).** CNCDA PAC — through the generous support of our dealers — helped to elect and retain legislators and state officeholders who share our pro-dealer political philosophy.
8. **Franchise Law Improvements (2009, 2011 and 2013).** In 2009, the state's franchise laws were updated to conform California to the rules in the majority of states in the areas of termination assistance, dealing, facility improvements and statutory indemnity. Also, the improvements provided limited relief to Chrysler dealers that terminated in bankruptcy. In 2011, dealer franchise laws were updated to prohibit the waiver of dealer protection rights, reduce unfair competition against dealers by factory-owned stores, and prohibit mandates for the use of factory approved vendors for service contracts and GAP agreements. In 2013, dealer franchise laws were updated to provide a rebuttal presumption for dealers who sold or leased a vehicle that is exported and restrict the expansive and unreasonable performance standards evaluated on dealers. Also, it modified warranty repair and incentive rules about an appeal process with a right to cure, a 15-day written notice to changes to the warranty reimbursement schedule, and limits audit requirements of records to nine months.
9. **Established Association Standing at the New Motor Vehicle Board (2015-2017).** In response to Jaguar Land Rover North America's (JLRNA) egregious export and sale-for-resale policy, CNCDA was granted the authority by the legislature to bring a first-time-ever protest at the New Motor Vehicle Board on behalf of all their Jaguar Land Rover dealers. In November 2017, the California New Motor Vehicle Board (NMVB) declared that the JLRNA export policy violates California law. The NMVB's decision marked the conclusion of the first protest CNCDA filed with the NMVB.
10. **Twice Stopped a Bill to Impose Burdensome Mandatory Recall Repair Mandate Only on Dealers (2013 and 2014).** The bill would have prohibited dealers from selling or leasing any vehicle subject to a manufacturer's recall until repaired, with many other problems including the lack of an operating recall database, absence of liability protections, and an exemption for rental car companies.
11. **Struck a Compromise on Temporary License Plate Legislation (2016).** Toll-taking agencies sought immediate identification of vehicles, but their flawed bill would have imposed burdensome requirements on dealers, the DMV and consumers. CNCDA negotiated a compromise where dealers would get a \$5 increase in the doc fee for all vehicles sold in exchange for dealers installing temporary plates on vehicles lacking license plates. ◀



Q&A With New Chairman Mike Weseloh



How did you become a car dealer? Did you always aspire to be part of the automotive industry?

I was born into a car family and am the oldest of six children, so I had the first opportunity to join the family business. I knew from an early age that I would work in the dealership — not necessarily that I would be the dealer — but the business meant so much to our family. I just knew that it would be my career. I started working at the dealership the summer after the eighth grade, and each summer after that in a different department through my college years.

My grandfather was Charles (Charlie) Weseloh, and he started the business right around 1926 in Ramona, California. We called him Gramps. In those days, the business was a road-side garage with one service bay. Gramps would sell whatever he could; gas, oil, a blanket, a picnic basket, and, at some point, a car. He arranged with a Chevrolet dealer in San Diego to keep an inventory of one car at his garage.

After he sold the one car he had, they would bring him another. If he

couldn't sell the car, he had to return it to the dealership in San Diego and get another. In those days, that was an all-day drive from Ramona and back, over rutted dirt roads. You can imagine. My dad, Ben Weseloh, used to ride with Gramps on those trips; he was probably 8 or 9 at the time. When Gramps was returning a car, it was the quietest and longest road trip ever. Gramps wasn't big on failing, and returning a car was a big fail for him. Sunday was always the day for returning a car and picking up a new one to sell because that was Gramps' only day off. He worked six days a week, from sunup to sundown. One year, during the depression, his net was \$100.00 for all of his work for the entire year.

Eventually, Gramps was able to start a Chevrolet dealership in Ramona. In 1936, he moved to Escondido and, in 1940, opened a sister Chevrolet dealership in Oceanside. My dad served in the Navy in WWII, and also served during the Korean War and joined the business after leaving the Navy in the mid-50s. Right after college, I came to work in 1975. The Oceanside dealership relocated to Car Country Carlsbad in 1976. We are still there.





As **dealers**, we have a lot coming at us, but I would say that working within the **political landscape** is one of the most challenging aspects of our industry and one of the **best reasons** for CNCDA membership.



There have been years of growth between now and that first generation. I've seen a lot of it firsthand. Running a business is a daunting responsibility. Gramps and Dad worked through some very difficult economic times.

Do you have family members in the auto industry?

For many years, I worked with my brother Pete and brother-in-law Tim, but now my brother Jerry runs the Chevrolet and Kia dealerships. Two of my sons, Matt and Kevin, and my nephew, Kyle, also work for the dealerships.

Describe your education background. What did you study?

I attended St. Mary's College and earned degrees in both Business Administration and Economics. I was active in sports. In some ways I am unique: I have never met anyone else who participated on a varsity level in both rugby and crew (rowing).

Are there any specific individuals who had a major impact on your career?

Well, first, my dad. He operated the dealership by the "golden rule" in everything he did, which carried over to customers, employees, vendors and factory personnel. It's not an easy formula for success, but it is simple; treat others as you would like to be treated. My dad instilled that in me since I was small and all through my formative years.

Kevin McAree was our GM for many, many years and just recently passed away. From Kevin, I learned the importance of hard work. There's a saying about how the harder a person works, the luckier he gets, and I think

there's a lot of truth to that. Kevin also taught me to strive to get better constantly. Develop more skills. Never miss an opportunity to learn something — and this goes way beyond business. I think it is a life-long responsibility. When you think you know everything, you'll have some lessons coming at you — that never fails!

What is the most rewarding part of your career?

I enjoy seeing people grow. We don't micromanage. We have expectations, certainly, but we let our managers do their jobs, learn from their mistakes, and develop their talents and personalities over time. We encourage them to grow their personnel. It's very rewarding. We try to promote from within whenever we can. We're big on growing our management team.

What do you think will be some of the dominant trends within the auto industry in the next 5-10 years?

I think when an industry has as many potential disruptors as ours does at the moment, it signals change and lots of it. I think everyone can agree with that. How it will all shake out, on the other hand, is that big unknown. I think there are technology trends that we will see come to fruition. It's inevitable. But with change, there are also lots of opportunities. I am confident that as dealers, we can find a way to be successful. We are used to adapting as an industry.

What is the biggest impact of being a CNCDA member? What makes it beneficial?

As dealers, we have a lot coming at us, but I would say that working within the political landscape is one of the

most challenging aspects of our industry and one of the best reasons for CNCDA membership. The legislation doesn't always go our way, but with CNCDA advocating on our behalf, there is no question it is better than what it could be. CNCDA brings that "one voice" to the political table that becomes so important. I think the process is eye-opening.

I also feel that educational opportunities through CNCDA are phenomenal. Again, to keep up with the fast pace of the industry, we all need to be better at what we do and how we do it. CNCDA helps with that.

Are you involved in any civic or charitable organizations?

Giving back is important, and over the years, we've been involved in many organizations within our community. Oceanside Rotary, Oceanside Boys and Girls Club, Camp Pendleton Armed Services YMCA, Oceanside American Little League and Mission San Luis Rey are just some.

If you look back at your career and life, what would be three things that you have learned that you would pass onto a younger member within the auto industry?

I would fall back on what my dad and Kevin McAree taught me. First, work hard. You will get nowhere

without a work ethic. Nothing is easy. Anything of value requires dedication. Next, it's about that "golden rule." Treat people — all people — well. This industry is a people business. You need customers to buy cars, and you need good employees to sell cars. The best policy is to have great personnel in all departments. Treat people well. I can't emphasize that enough. And lastly, continue to become better at what you do. The world moves at a fast pace, and it takes skills and continual improvement to keep up.

What are some professional moments that make you the proudest?

It's not a professional moment, per se, but one of the moments that I am most proud of is earning my Eagle Scout. It was a goal I worked very hard for as a youth.

I was selected as the Time Quality Dealer in 2012. That was a big moment, especially because my father was chosen in 1990. That made it all the more special for me, a recognition not too many fathers and sons have both achieved.

Was there an "aha" moment in your career that defined you?

I don't know that there was one moment. I think we're all products of many moments, good or bad, and I think how we learned from them defines us.

Describe your all-time favorite vehicle (it can be one you've owned or something on your wish list). What are you driving today?

Right now, I am driving a Kia Telluride. I like it because it's a great medium-sized SUV. However, my favorite car is a Corvette.

What is your favorite way to spend your free time? Any unusual hobbies?

I spend time with my family whenever I can. I am a voracious reader and I make a point to read every day. I am a history buff, so a lot of what I read is history related: military history, United States history, the founding fathers and biographies. I like novels too!

I officiate college football in the PAC 12. I've been officiating for the past 36 years, beginning with Pop Warner football, through high school, and now college football. It's been very rewarding, and it allows me to participate in College Football in a way few people do and that I really enjoy.

Tell us about your family.

My wife, Laurie, and I are celebrating our 40th anniversary. We have three sons, Matt, Mark and Kevin. All of our boys are married, and we have six grandchildren. ◀

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THE VALUE OF MEMBERSHIP

Your membership continues to be critically important to California's retail automotive industry. As new car dealers continue to face challenges statewide, CNCDA is here to represent you in the legislative, regulatory, legal and public arenas. When you join CNCDA you become part of the nation's largest state automobile dealer association and join a community of nearly 1,200 fellow dealers.

PROTECT AND PROMOTE



CNCDA focuses on protecting and promoting the interests of franchised new car dealers before all state government and regulatory agencies. Working to create a business friendly climate where new car dealers can thrive, provide the best products and services to consumers and provide rewarding automotive retailing jobs remains the mission of our association.

For further information on membership benefits, please reach out to CNCDA's Membership Department at (916) 441-2599.

1517 L Street, Sacramento, CA 95814

Tel: (916) 441-2599 | Fax: (916) 441-5612

www.cncda.org | cncda_info@cncda.org

 /CNCDA  /CNCDA



GOVERNMENT AFFAIRS:

- Lobbying the state legislature and regulatory agencies such as DMV, CARB and BAR on behalf of your interests
- Defending against excessive regulations, while promoting implementation of fair and reasonable government rules



LEGAL AFFAIRS:

- Direct contact with CNCDA in-house attorneys
- Updates on legal compliance requirements locally and statewide



PUBLIC AFFAIRS:

- Ongoing communications with state and national media on behalf of your interests
- Coordination with broader business community on efforts impacting new car dealers
- Updates via CNCDA Dealer Alerts on urgent and timely information



EDUCATION AND EVENTS:

- Access to frequent educational seminars and industry updates to keep your dealership compliant
- Invitations to member-only events including the Membership Appreciation Dinner and Annual Convention



COMPLY

- Access to member-only online compliance resource, providing ease of electronically accessing all CNCDA publications
- Published content searchable by keywords and accessible for download

YOUR MEMBERSHIP HELPS MAKE CNCDA MORE EFFECTIVE FOR YOU AND ENHANCES THE CLOUT OF ALL CALIFORNIA NEW CAR DEALERS.

CNCDA'S NEW ONLINE COMPLIANCE RESOURCE

CNCDA is excited to announce our new online compliance resource, CNCDA Comply. CNCDA Comply is designed to provide members with the ease of electronically accessing all CNCDA publications including:

✓ **CNCDA Compliance Manuals**

- Dealer Management Guide
New edition coming 2020
- F&I Manual
- Employment Law Manual
- Advertising Law Manual
- Service Drive Manual
- Franchise Law Manual
- Proposition 65 Handbook
- CCPA Compliance Handbook

✓ **Monthly Bulletins**

✓ **Capitol Updates**

✓ **Legislative Summaries**

✓ **Quarterly Regulatory Updates**

✓ **Quarterly Legal Updates**

CNCDA COMPLY
NOW AVAILABLE



All CNCDA's published content will now be searchable by key words and accessible for download.



Save the Date!

CNCDA Annual Convention

Oct. 4-7, 2020

Ritz-Carlton, Laguna Niguel

Mark your calendars for CNCDA's 2020 Annual Convention, taking place in Laguna Niguel, California at the breathtaking Ritz-Carlton! Overlooking the Pacific Ocean, this luxurious resort is known for its five-star accommodations, first-class service and stunning views, capturing all Southern California has to offer. With direct access to the ocean, a deluxe spa onsite and located next to Monarch Beach Golf Links, The Ritz-Carlton has something for everyone.

Don't miss this annual opportunity to catch up with fellow dealers and hear from industry experts on the latest and greatest developments in California's retail automotive industry. Stay tuned for more details and information on the CNCDA event of year! We look forward to seeing you there!

Registration opening in April 2020

Why Should You Attend CNCDA's Annual Convention?



Jenny Dudikoff McLaughlin
Director of Public Affairs and Marketing

Your time is incredibly valuable. So are your financial resources. That being the case, why should you invest the time and money in attending CNCDA's Annual Convention?

CNCDA provides a valuable opportunity to get you in a room with industry experts, your peers, association leadership and staff all the while providing resources to strengthen you professionally and further support your businesses. We understand that each of you has your personal and professional networks, but this opportunity is one that allows attendees to see the industry through the lens of CNCDA. A lens that is dedicated to protecting and promoting your businesses.

Everyone has their own reasons for attending various functions, but here are the top five reasons you shouldn't miss CNCDA's 2020 Annual Convention.

1. Valuable Information

There is something powerful to be said about feeding your brain and putting yourself in situations where you can gain a lot of different information from a lot of different sources in a short period of time. The content provided at CNCDA's Annual Convention continues to be the focal point of our marquee event. Every year we strive to find compelling and knowledgeable speakers who have a deep understanding of the automotive retail space. As California laws and regulations continue to swiftly evolve,

it's critical that we bring subject matter experts to you who can distill complex topics down into bite sized pieces of information that you can take back to your dealership to continue to run your businesses as effective and efficiently as possible, while remaining compliant.

2. Face-to Face Engagement

There is no substitute for seeing people and engaging with them face-to-face. This is critical to every aspect of career and business development, at some points in careers more so than others. But staying in touch and engaged is critical to what you do every single day in your dealerships. CNCDA's Annual Convention brings together more than 150 individuals from across the state including dealer principals, dealership employees, industry experts, association staff and leadership and provides an opportunity to engage with peers and enhance your touchpoints across the CNCDA network.

3. Location, Location, Location

While we continue to provide exceptional content, it is also important that we hold our Annual Convention somewhere that is attractive to our members. While you may find some locations to be more desirable than others, we want this to be a first-class event that provides you with beautiful views, luxurious accommodations, exceptional service and a memorable experience. You will not find less than that at CNCDA's Annual Convention.

4. Support Your State Association

As CNCDA primarily focuses on staying on top of California's legal, political and regulatory challenges, it is just as critical to the future of our association that we hold successful and well-attended events. Your engagement at every CNCDA event is crucial and we can't stress enough that the future of CNCDA benefits greatly from your participation. The more we see of you, the better we understand your needs and the more valuable our service can be going forward.

5. It's a Great Time!

Last but certainly not least, we guarantee you will have a fantastic time at CNCDA's Annual Convention. With activities the past two years including a catamaran cruise, a brewery tour, wine tasting and golf, it is our goal to find some of the most exciting and regionally unique activities to do in between program time. This year we are looking forward to whale watching off the beautiful coast of Southern California along with two receptions and a farewell dinner that will overlook the Pacific Ocean.

CNCDA's Annual Convention has something for everyone. We look forward to seeing you, your employees and your families this year in Southern California from October 4-7! For more information on this year's Convention, please visit www.cncda.org/events ◀




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Are you ready for what's on the horizon?

The California Consumer Privacy Act (CCPA) will be here before you know it, along with more responsibilities for your dealership. This state law mandates compliance with data management and security policies to increase consumer personal information protections.



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January 2020



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The CCPA Is Here: Stay Focused and Don't Panic



Anthony Bento,
Director of Legal Affairs

The California Consumer Privacy Act (CCPA) went into effect Jan. 1, 2020. As many of you know, the CCPA is the nation's first comprehensive privacy law, as it creates substantial privacy rights for consumers and imposes corresponding obligations on businesses. These include:

- Notice requirements. The CCPA requires businesses to make disclosures to consumers via privacy policies and other notices.
- Specific information. The CCPA grants consumers an individualized right to know what personal information a business has collected, sold or disclosed about them.
- Deletion. Consumers have the right to request businesses to delete personal information, subject to certain exceptions.
- Opt-out of the sale of personal information. Consumers over 16 years old have the right to opt-out of the sale for their personal information. Consumers younger than 16 must opt-in.
- Data breach liability. The CCPA increases a business's potential liability for data breaches, as it assigns

statutory penalties for such breaches and empowers private individuals to file lawsuits to seek damages for such breaches.

That's a ton of information to digest, and it's easy to understand why some business owners may be tempted to throw their hands up in frustration and toss in the towel. However, there are several reasons not to despair.

First, except for data breaches, the CCPA does not create a private right of action. In other words, private attorneys will not be empowered to directly sue for most violations of the CCPA.

Second, the Attorney General (AG) will not begin enforcing the CCPA until July 2020.

Taken together, these points should greatly reduce a dealership's legal exposure for technical noncompliance with the CCPA. Indeed, the California Attorney General has publicly stated that his office will "look kindly on those that ... demonstrate an effort to comply" with the CCPA.

Despite the likelihood of limited initial enforcement on the CCPA, businesses that ignore the CCPA are painting a target on their backs. For example, it will be easy for



Register for CNCDA's **CCPA seminars**. CNCDA is **hosting seminars** on the CCPA throughout California in January and February 2020. Dealership employees tasked with implementing the CCPA at their dealership should **consider attending** one of these seminars.



officials at the AG's office to determine whether a business has a compliant privacy policy on their website, or if a business is issuing required notices to consumers.

So, what should dealers do if they continue to struggle with the CCPA? The following three items are worth considering:

Use CNCDA's CCPA resources. CNCDA published the second edition of its CCPA Compliance Handbook. The second edition includes over a dozen sample documents, many of which are downloadable as editable Microsoft Word files on CNCDA's website (www.cncda.org) under the "CNCDA Comply" tab. Dealers are encouraged to use these resources. They are available free of charge as a CNCDA member benefit.

Register for CNCDA's CCPA seminars. CNCDA is hosting seminars on the CCPA throughout California in January and February 2020. Dealership employees tasked with implementing the CCPA at their dealership should

consider attending one of these seminars. Seminar registration is available on CNCDA's website (www.cncda.org) under the "Events" tab.

Talk to competent counsel. Many attorneys are offering CCPA compliance resources to dealerships. On the CCPA, I've worked extensively with the attorneys at the Arent Fox law firm, including Lisa Singer.

The team at Arent Fox is a great resource if you're looking for counsel to help guide you through the CCPA, but there are many other fantastic options.

Secure your consumer data. A robust data security program is no longer a luxury for businesses, as businesses face enormous risk when their systems are compromised. Dealers looking for IT services may consider Helion Technologies (heliontechnologies.com), which is the CNCDA licensed vendor for dealership IT services. Regardless of which IT provider you use, working with an experienced IT professional is critical to ensure that your systems are secure. ◀

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What Should You Expect From the California Government in 2020?



Cliff Costa,
Director of Government Affairs

The question inherently posed by this article is one of prediction and anticipation. The 2020 year is Governor Gavin Newsom's second full year in office, and it is also an important election year for the U.S. President and a majority of legislative seats.

During his first year in office, Governor Newsom tackled several big-ticket items including taking on the Trump Administration's plans relating to climate change, dealt with the bankruptcy of a major utility and promised to fix the Department of Motor Vehicles, a state agency that has major issues with its technology and public perception. Governor Newsom had a very robust and ambitious first year in office, but it was one that will prove to be the roadmap for the direction California will take in his second year. I anticipate the governor to continue to lead the state's resistance efforts aimed at the Trump presidency by doubling down on climate change policies. I also predict that the governor will continue to make bold moves in taking on some of the biggest problems facing the state like homelessness, wildfires, privacy and the economy.

Let's not forget the upcoming elections, which are already shaping up to be a wild ride. During my 15-plus years of experience working in and around state government, an election year always brings the most out-of-the-box ideas and proposals forward. I like to think that legislators and governors are fighting for media coverage with and, often, against their campaigns. The public's focus always seems to be on the horse race nature of the coverage

surrounding campaigns; meanwhile, the legislative process is often perceived as too slow or confusing for most voters to follow. This comparison leads to some of the most interesting approaches to problems. While it is still too soon to tell what these may be relating to our industry, CNCDA stands diligently prepared to fight back any of these outside-the-box proposals that negatively impact your dealership.

What also complicates this year's November general election are the vast number of ballot initiatives that are being proposed. Topics include taxing commercial property differently than residential property, expanding the California Consumer Privacy Act (CCPA), an effort to ban the sale of gas-powered vehicles starting in 2040, and the employee versus independent contractor fight between Uber/Lyft and labor unions. With the legislature's authority to work with the initiative proponent to address the problem without going to the voters, I suspect that many of these topics will ultimately be addressed in the capital and not on the ballot. We saw this happen two years ago with the creation of the CCPA, which was quickly adopted but was then delayed to allow further clarifications and regulations. Many legislators and stakeholders were frustrated by this process, but the ability to leverage other industry groups is almost too good to pass up for some proponents.

I anticipate a big 2020 in the legislature, but many of you might think: "Well, it's more of the same!" You would not be wrong. ◀

Vehicle Emissions Battle: An Update



Alisa Reinhardt,
Director of Regulatory Affairs

Due to a deal struck with the Obama administration, in 2012 the California Air Resources Board (CARB) voted that auto manufacturers in compliance with federal greenhouse gas emissions standards were “deemed to comply” with requirements under California’s LEV III greenhouse gas regulations. This meant that so long as a manufacturer’s car and light-duty truck fleets were compliant with federal emission standards, those vehicles were also considered to be California-compliant.

However, immediately upon the change in presidential administrations in 2017, the Trump Administration made it clear that they wished to enforce a 50-state solutions to emissions rules and remove California’s ability to set different and stricter standards than the federal government. In August 2018, the Trump Administration’s Environmental Protection Agency (EPA) and National Highway Traffic Safety Administration (NHTSA) released their Safer,

Affordable, Fuel-Efficient (SAFE) Vehicles Rule that aims to freeze emission standards for MY 2021-2026 vehicles at 2020 levels. The agencies also proposed to find that CARB’s greenhouse gas and ZEV standards are preempted by federal law, and to withdraw the waiver of federal preemption that the EPA granted to California in 2013 for the greenhouse gas and ZEV requirements of its Advanced Clean Cars program.

The 2020 levels were to be set at: 37 mpg, and 2026 levels: 54.5 mpg.

In response, in late 2018 CARB voted to approve amendments to the LEV III greenhouse gas emissions regulation to clarify that the “deemed to comply” option is available only for the federal greenhouse gas regulations adopted by the Obama administration. This means that, in CARB’s view, manufacturers must comply with California’s more stringent regulations if they want to continue being able to sell cars in the state. Negotiations between the federal government and CARB have been discontinued.

In September 2019, the EPA and NHTSA issued a follow-up action entitled the “One National Program Rule” to enable the federal government to provide nationwide uniform fuel economy and greenhouse gas emission standards for automobile and light-duty trucks. This action aims to finalize critical parts of the SAFE Vehicles Rule that was first proposed in August 2018 and attempts to make it clear that federal law preempts state and local tailpipe greenhouse gas emissions standards as well as zero-emission vehicle mandates. The federal action also attempts to affirm federal preemption of state law in this area and withdraws the Clean Air Act preemption waiver it last granted to California in January 2013 as it relates to California’s GHG and ZEV programs.

EPA and NHTSA claim that the rule, which the agencies are still in the process of finalizing, will result in increased vehicle affordability and reduced regulatory costs on manufacturers, claims that the EPA’s Science Advisory Board and CARB Chair Mary Nichols have called into question.



CNCDA is currently developing a **Dealer Best Practices Guide** to Selling EVs, along with CARB and the Center for Sustainable Energy. Stay tuned for the future release of this resource in Q1 2020.



EPA and NHTSA claims the SAFE Rule will lead to:

- A \$2,340 reduction in overall average new vehicle ownership costs
- Over 12,000 fewer crash fatalities over the lifetimes of all vehicles built through MY 2029
- \$252.6 billion reduction in regulatory costs through MY 2029
- One million additional new vehicle sales through MY 2029
- Reduction from 56% to 3% in the percentage of hybrid vehicles needed to comply in MY 2030

In response to the federal government's actions, California Attorney General Xavier Becerra filed a lawsuit against NHTSA with a coalition of 24 Attorneys General and the cities of Los Angeles and New York challenging the Trump Administration's regulation to preempt California's greenhouse gas emissions and ZEV standards. This

litigation is ongoing, along with a handful of other lawsuits filed by the state against the federal government on this and similar issues.

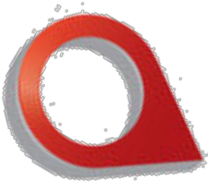
On a state level, in November 2019 California Governor Gavin Newsom's Department of General Services announced new vehicle purchasing policies for the state fleet. DGS will prohibit purchasing by state agencies of any sedans solely powered by an internal combustion engine, with exemptions for certain public safety vehicles. A second policy bars state agencies from purchasing vehicles from OEMs that have publicly sided with the Trump Administration in the ongoing fight with California. This means that the state can no longer buy GM, Fiat Chrysler and Toyota vehicles. California's state vehicle fleet currently includes about 51,000 cars and trucks, with electrics and hybrids only making up about 6% of the overall fleet last year.

Meanwhile, BMW, Ford, Honda, and Volkswagen have chosen to side with California in this fight, saying

they agree in principle with California on vehicle emissions standards stricter than those proposed by the Trump Administration. This caused the federal Justice Department to open an investigation into whether the four automakers violated federal antitrust laws by reaching a deal with California, on the grounds that the agreement could potentially limit consumer choice.

CARB and the Trump Administration are deadlocked in their respective approaches to vehicle emissions regulations, and the pending litigation and public back-and-forth arguments will likely be ongoing for several years. For their part, state policymakers in California will continue to use every avenue available to them to continue moving ahead on emissions reductions in the transportation sector. Because of this focus, CNCDA is currently developing a Dealer Best Practices Guide to Selling EVs, along with CARB and the Center for Sustainable Energy. Stay tuned for the future release of this resource in Q1 2020. ◀

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Vitu Point-of-Sale Insurance Saves the Day



Kim Walters,
Senior Manager of Vitu Insurance

A customer sits at your desk, nearly ready to sign on the dotted line. After discussing financing and warranties, you arrive at insurance. You ask casually, “Do you have current auto liability insurance?” Suddenly your customer becomes hesitant. “I don’t have auto insurance,” comes the answer quietly. For many F&I managers, these are the most dreaded words. What do you do? Make some calls? Have the customer find coverage on the spot? What can you do so the deal doesn’t fall through?

Last year, we launched Vitu Point-of-Sale Insurance within DMVdesk. In fact, CNCDA recommends our easy-to-use solution because it helps minimize the liability and risk to dealerships. As more and more dealers have chosen to use it, the success stories continue to come in. Since the launch, we have received continuous feedback from our dealership partners on how our Point-of-Sale solution’s easy access has helped close deals.

Nick Charlton, who works in the finance office of his family’s car dealership Jim Charlton Ford, recalled

his first experience with Vitu POS Insurance like it happened yesterday. A customer, who was in the military and new to the Ridgecrest area, came in at 4 p.m. in the afternoon looking for a car. However, she didn’t have car insurance and was short on time. She seemed ready to leave.

Charlon remembered hearing of Vitu Insurance Services and quickly called one of its sales representatives, T.J. Stephens. Stephens responded that Charlon only had to sign some paperwork and watch a short online tutorial to begin. Within minutes, the “Add Insurance” button appeared on his screen and he was back on track to finalizing his sale.

As the certificate was generated, Charlon said his reaction was, “Wait, that’s it? Wow!”

About the experience, Charlon said, “It definitely affected the sale because I would have had to wait for her to get insurance, and it happened to be that some of the local insurance companies were really too expensive for her. So she was thinking of holding off. This way I could cover the

cost for it and be done with it. So she really didn’t have an option. It closed the car deal, for sure.” The customer drove off in her new car before 5 p.m. the same day.

The immediacy of issuing insurance is not the only convenience. Vitu Point-of-Sale Insurance’s integration into DMVdesk is another major draw for Vitu’s existing dealership partners. Charlon commented, “It’s just easy, and it strengthens our relationship with DMVdesk. It’s easy to do when I’m on the screen; all I have to do is click one button to add insurance. I like having it available to me.”

Vitu developed Vitu Point-Of-Sale Insurance specifically to benefit dealers selling vehicles to customers who either have no insurance or are unsure of comprehensive coverage. CEO of Vitu Insurance Services Don Armstrong stated, “It’s about reducing risk and protecting dealerships collateral in a very dynamic environment.” For more information about how Vitu Insurance Services can help you, please contact our toll-free number at 844-874-8488. ◀

Driving California's Economy

Annual Contribution of California's New-Car Dealers

Numbers reflect annual economic activity during 2018.



1,323
DEALERSHIPS
(new car)



259,691
TOTAL JOBS
(created by dealerships)
Includes 121,914 direct jobs and
137,777 indirect and induced jobs.



92
EMPLOYEES
(average per
dealership)



\$120.1B
TOTAL SALES
(all dealerships)



\$8B
PAYROLL

\$65,819 Average Annual Earnings	\$2.1B State and Federal Income Taxes Paid
---	---

Includes income taxes paid for direct,
indirect and induced jobs.



11.7%
REGISTRATIONS
California's Share of Total U.S.
New-Vehicle Registrations

\$8.7B
**STATE SALES
TAX PAID**

Sources: Center for Automotive
Research, IHS Markit, NADA,
U.S. Bureau of Labor Statistics.



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California Auto Outlook™

Comprehensive information on the California vehicle market

Volume 15, Number 4

Released November 2019

Covering Third Quarter 2019

Publication Sponsored By:

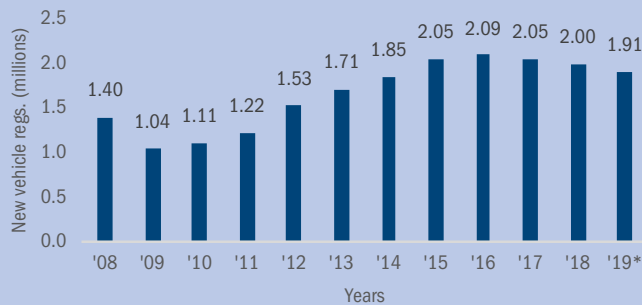


New Vehicle Registrations in State Predicted To Exceed 1.9 Million Units in 2019

ANNUAL TRENDS



California Annual New Light Vehicle Registrations - 2008 thru 2019



Historical data source: IHS

*2019 forecast by Auto Outlook.

New vehicle registrations in California are expected to slip to 1.91 million units in 2019.

The state's new vehicle market is predicted to decline 4.5 percent from 2018 to 2019, which would be the third consecutive annual decline.

Although the market is shifting lower, new vehicle registrations this year should exceed the 2009 total by more than 80 percent.

California and U.S. Total New Light Vehicle Registrations - YTD thru September

	California			U.S.		
	YTD '18	YTD '19	Change	YTD '18	YTD '19	Change
Registrations						
TOTAL	1,504,342	1,427,578	-5.1%	12,857,847	12,767,471	-0.7%
Car	683,697	609,590	-10.8%	4,082,387	3,682,012	-9.8%
Light Truck	820,645	817,988	-0.3%	8,775,460	9,085,459	3.5%
Domestic	456,266	434,344	-4.8%	5,713,490	5,707,903	-0.1%
European	226,577	221,836	-2.1%	1,174,958	1,190,339	1.3%
Japanese	723,403	671,784	-7.1%	5,014,494	4,868,521	-2.9%
Korean	98,096	99,614	1.5%	954,905	1,000,708	4.8%
Market Share						
Car	45.4	42.7	-2.7	31.8	28.8	-3.0
Light Truck	54.6	57.3	2.7	68.2	71.2	3.0
Domestic	30.3	30.4	0.1	44.4	44.7	0.3
European	15.1	15.5	0.4	9.1	9.3	0.2
Japanese	48.1	47.1	-1.0	39.0	38.1	-0.9
Korean	6.5	7.0	0.5	7.4	7.8	0.4

Source: IHS

California new light vehicle market declined 5.1 percent during the first nine months of this year, while the U.S. market fell 0.7 percent.

Light truck registrations in the state were down slightly, while passenger cars fell 10.8 percent.

Light truck market share in California was 57.3 percent vs. 71.2 percent in the Nation.

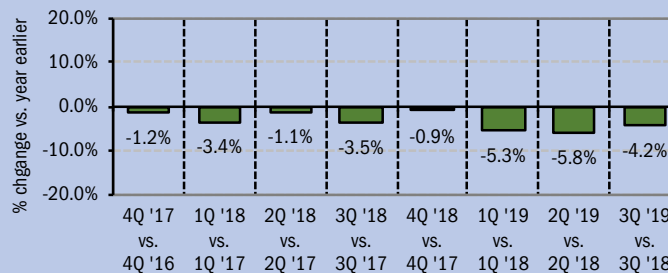
TWO YEAR PERSPECTIVE



QUARTERLY RESULTS



California Quarterly New Light Vehicle Registrations
Percent Change vs. Year Earlier



Source: IHS

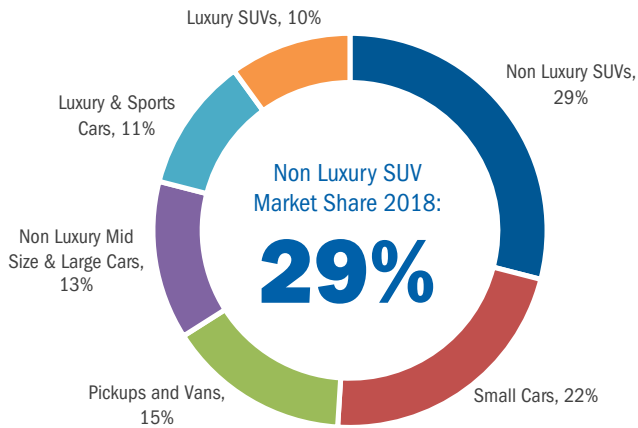
The California new vehicle market recorded its tenth consecutive year-over-year decline in the Third Quarter of 2019.

New vehicle registrations in the state fell 4.2 percent in 3Q '19, an improvement from the 5.8% drop in the Second Quarter.

SEGMENT MARKET SHARE TRENDS

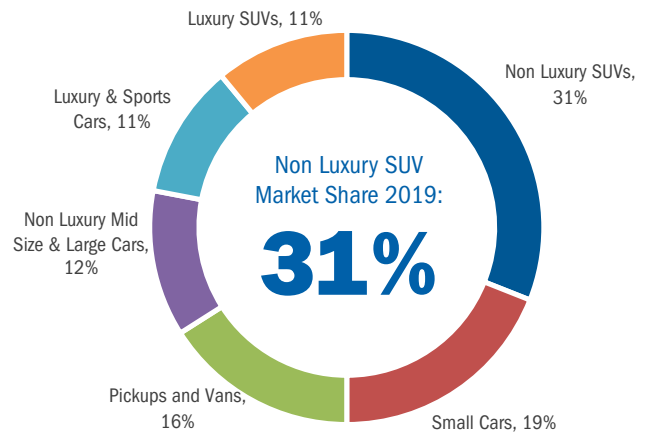
Non Luxury SUV Market Share in California Exceeded 30% During First Nine Months of 2019

**Segment Market Shares in California
YTD 2018 thru September**



Source: IHS.

**Segment Market Shares in California
YTD 2019 thru September**



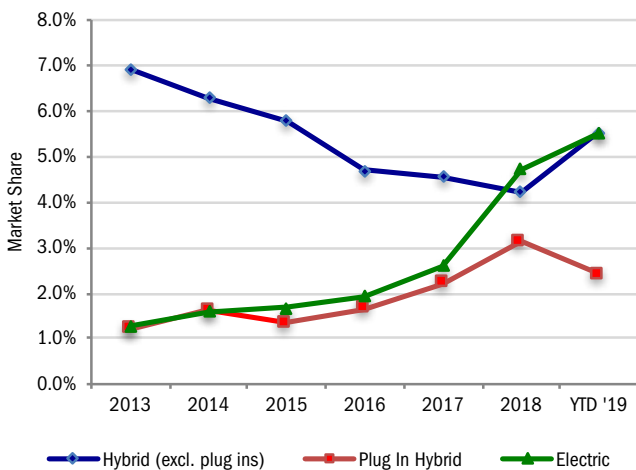
Source: IHS.

The two graphs above show market shares for primary segments during the first nine months of 2018 and 2019.

HYBRID AND ELECTRIC VEHICLES

Electric Vehicle Market Share in State Reaches 5.5 Percent

Hybrid and Electric Vehicle Market Share



Source: IHS



Hybrid/electric vehicle market share, YTD '19 thru Sept:
13.4 percent

Hybrid and Electric New Vehicle Registrations and Market Share					YTD
	2015	2016	2017	2018	2019
Hybrid regs.(excl. plug ins)	118981	98124	93338	84322	79017
Hybrid share(excl. plug ins)	5.8%	4.7%	4.6%	4.2%	5.5%
Plug in hybrid regs.	27740	34727	45040	62847	34185
Plug in hybrid share	1.4%	1.7%	2.2%	3.1%	2.4%
Electric regs.	34477	40347	53500	94801	78776
Electric share	1.7%	1.9%	2.6%	4.7%	5.5%

MODEL RANKINGS

Honda Civic Is Top-Seller in California New Vehicle Market

The table below shows the top five selling models during the first nine months of 2019 in 20 segments. In addition to unit registrations, it also shows each model's market share in its respective segment.



BEST SELLERS IN PRIMARY SEGMENTS

Compact Car: Honda Civic	Full Size Pickup: Ford F-Series
Mid Size Car: Toyota Camry	Compact SUV: Toyota RAV4
Near Luxury Car: Tesla Model 3	Mid Size SUV: Toyota Highlander
Luxury Car: BMW 5-Series	Luxury Mid Size SUV: Lexus RX

Top Selling Models in Each Segment - New Light Vehicle Registrations (YTD '19 thru September)

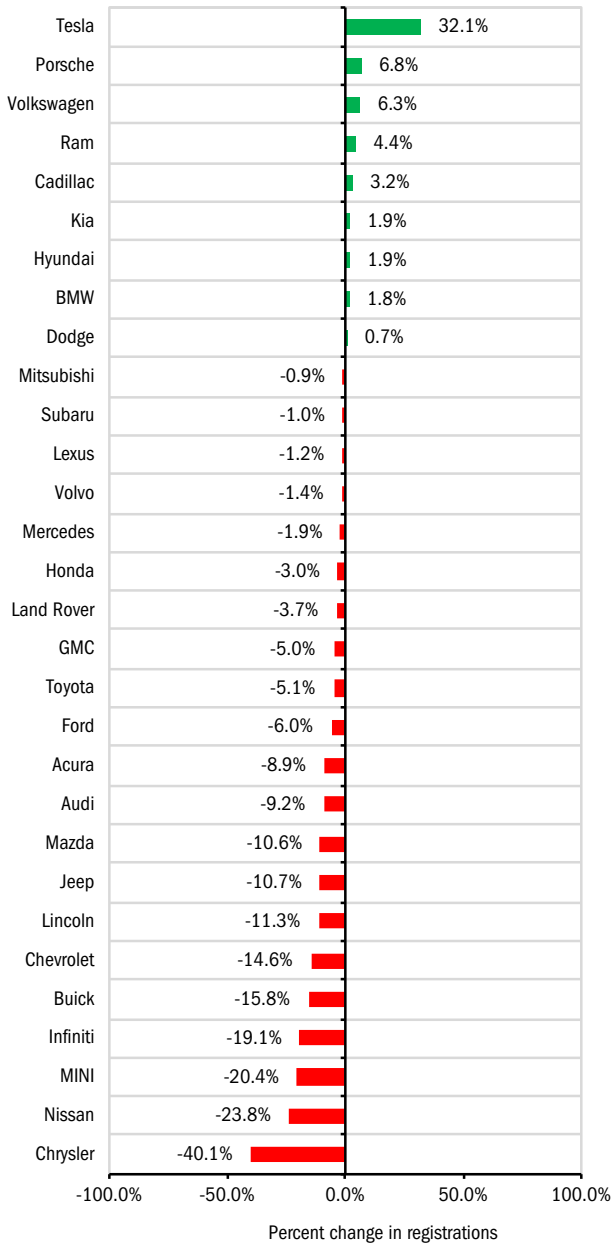
Cars											
Subcompact			Compact			Sports/Pony Cars			Mid Size		
Model	Regs.	Share	Model	Regs.	Share	Model	Regs.	Share	Model	Regs.	Share
Kia Soul	6904	16.3	Honda Civic	58967	28.2	Ford Mustang	6472	29.6	Toyota Camry	48760	31.1
Chevrolet Bolt	6723	15.9	Toyota Corolla	40928	19.6	Dodge Challenger	6301	28.9	Honda Accord	43709	27.9
Ford Fiesta	5304	12.6	Toyota Prius	18723	9.0	Chevrolet Camaro	3845	17.6	Ford Fusion	18082	11.5
Honda Fit	5294	12.5	Nissan Sentra	15387	7.4	Hyundai Veloster	1988	9.1	Nissan Altima	11407	7.3
Nissan Versa	5046	11.9	Hyundai Elantra	11392	5.4	Mazda MX5	1157	5.3	Kia Optima	10334	6.6
Large			Entry Luxury			Near Luxury			Luxury and High End Sports Cars		
Model	Regs.	Share	Model	Regs.	Share	Model	Regs.	Share	Model	Regs.	Share
Dodge Charger	8472	48.9	Mercedes CLA-Class	3094	23.6	Tesla Model 3	48483	45.4	BMW 5-Series	8141	19.2
Chevrolet Impala	2683	15.5	Mercedes A-Class	3078	23.5	Mercedes C-Class	10855	10.2	Mercedes E-Class	7007	16.5
Toyota Avalon	2448	14.1	BMW I3	1968	15.0	Lexus ES	8513	8.0	Tesla Model S	4756	11.2
Chrysler 300	1808	10.4	Audi A3	1949	14.9	BMW 3-Series	8039	7.5	Audi A6	2147	5.1
Nissan Maxima	1121	6.5	Acura ILX	1850	14.1	BMW 4-Series	5164	4.8	Mercedes S-Class	2128	5.0
Light Trucks											
Compact/Mid Size Pickup			Full Size Pickup			Mini Van			Large Van		
Model	Regs.	Share	Model	Regs.	Share	Model	Regs.	Share	Model	Regs.	Share
Toyota Tacoma	33930	58.9	Ford F Series	37872	33.8	Honda Odyssey	9490	33.7	Ford Transit Connect Van	12731	46.9
Chevrolet Colorado	8052	14.0	Chevrolet Silverado	28028	25.0	Toyota Sienna	8188	29.1	Ram Promaster	3577	13.2
Ford Ranger	6228	10.8	Ram Pickup	25756	23.0	Chrysler Pacifica	4826	17.2	Mercedes Sprinter	3313	12.2
Nissan Frontier /Xe	3853	6.7	GMC Sierra	10386	9.3	Dodge Caravan	4572	16.3	Nissan NV	3306	12.2
GMC Canyon	2084	3.6	Toyota Tundra	8800	7.9	Kia Sedona	1045	3.7	Chevrolet Express	2741	10.1
Subcompact SUV			Compact SUV			Mid Size SUV			Large SUV		
Model	Regs.	Share	Model	Regs.	Share	Model	Regs.	Share	Model	Regs.	Share
Honda HR-V	9750	16.6	Toyota RAV4	40029	19.6	Toyota Highlander	18706	12.5	Chevrolet Tahoe	5260	26.8
Toyota C-HR	8646	14.7	Honda CR-V	29671	14.5	Subaru Outback	15107	10.1	Ford Expedition	3382	17.2
Nissan Kicks	7007	11.9	Mazda CX-5	15961	7.8	Ford Explorer	12582	8.4	Chevrolet Suburban	3169	16.1
Hyundai Kona	6269	10.7	Jeep Wrangler	15371	7.5	Jeep Grand Cherokee	11424	7.6	Ford Flex	2311	11.8
Kia Niro	5454	9.3	Subaru Forester	13156	6.4	Honda Pilot	11168	7.4	GMC Yukon	2038	10.4
Luxury Subcompact SUV			Luxury Compact SUV			Luxury Mid Size SUV			Luxury Large SUV		
Model	Regs.	Share	Model	Regs.	Share	Model	Regs.	Share	Model	Regs.	Share
Mercedes GLA-Class	3545	22.6	Mercedes GLC-Class	11869	18.2	Lexus RX	14994	23.0	Land Rover Range Rover	2817	19.8
BMW X1	3326	21.2	Lexus NX	9700	14.9	Mercedes GLE-Class	5770	8.8	Cadillac Escalade	2372	16.7
Lexus UX	3289	21.0	Audi Q5	9140	14.0	BMW X5	5691	8.7	Mercedes GLS-Class	1890	13.3
BMW X2	2111	13.5	BMW X3	8754	13.4	Tesla Model X	5388	8.2	BMW X7	1832	12.9
Volvo XC40	1533	9.8	Acura RDX	6078	9.3	Acura MDX	4678	7.2	Audi Q8	1491	10.5

Source: IHS

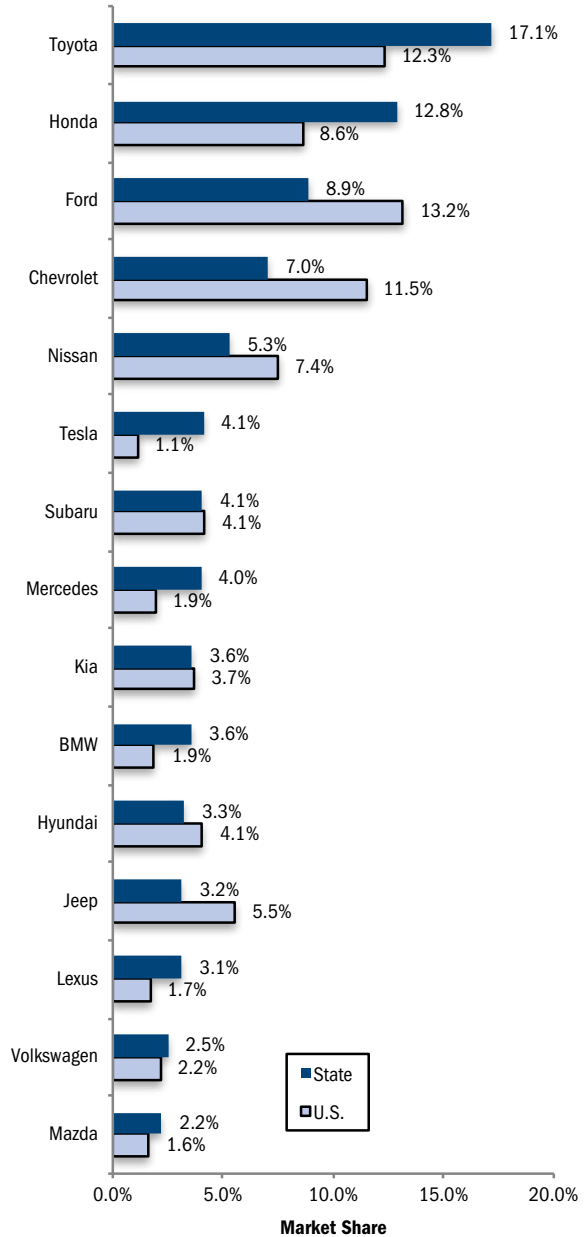
BRAND SUMMARY

Toyota, Honda, and Ford are Market Share Leaders in California

Percent Change in Brand Registrations - YTD '19 thru Sept. vs. YTD '18
(Top 30 selling brands in state)



California and U.S. Market Share - YTD '19 thru Sept.
(Top 15 selling brands in state)



Registrations increased for Tesla, Porsche, Volkswagen, Ram, Cadillac, Kia, Hyundai, BMW, and Dodge



Toyota, Honda, Ford, Chevrolet, and Nissan were market share leaders in California

Data Source: IHS.

BRAND REGISTRATIONS

Detailed Results for All Brands in California Market

California New Car and Light Truck Registrations											
	Third Quarter 2018 and 2019				Year-to-date thru September				YTD Market Share		
	California			U.S.	California			U.S.	California		
	3Q '18	3Q '19	% chg.	% chg.	YTD '18	YTD '19	% chg.	% chg.	YTD '18	YTD '19	Chg.
TOTAL	499,672	478,752	-4.2%	2.5%	1,504,342	1,427,578	-5.1%	-0.7%			
Acura	6,244	5,060	-19.0%	-7.3%	16,952	15,442	-8.9%	-1.7%	1.1	1.1	0.0
Alfa Romeo	1,305	980	-24.9%	-27.0%	3,863	2,799	-27.5%	-24.4%	0.3	0.2	-0.1
Audi	11,119	10,441	-6.1%	1.2%	31,727	28,810	-9.2%	-3.7%	2.1	2.0	-0.1
BMW	15,802	18,584	17.6%	25.8%	50,260	51,152	1.8%	11.9%	3.3	3.6	0.3
Buick	1,885	1,432	-24.0%	15.2%	6,321	5,324	-15.8%	3.0%	0.4	0.4	0.0
Cadillac	2,653	2,951	11.2%	7.8%	8,008	8,265	3.2%	3.0%	0.5	0.6	0.1
Chevrolet	37,242	30,916	-17.0%	4.3%	117,373	100,247	-14.6%	-2.8%	7.8	7.0	-0.8
Chrysler	2,856	1,390	-51.3%	-24.4%	11,079	6,634	-40.1%	-25.2%	0.7	0.5	-0.2
Dodge	7,625	8,119	6.5%	-4.2%	26,205	26,385	0.7%	-4.6%	1.7	1.8	0.1
FIAT	915	434	-52.6%	-37.8%	2,146	1,143	-46.7%	-39.3%	0.1	0.1	0.0
Ford	44,396	40,176	-9.5%	-2.9%	134,574	126,497	-6.0%	-3.8%	8.9	8.9	0.0
Genesis	369	822	122.8%	105.7%	1,906	1,619	-15.1%	23.3%	0.1	0.1	0.0
GMC	7,991	7,635	-4.5%	14.0%	24,271	23,047	-5.0%	5.5%	1.6	1.6	0.0
Honda	63,019	62,642	-0.6%	3.9%	189,074	183,391	-3.0%	-0.1%	12.6	12.8	0.2
Hyundai	15,409	15,976	3.7%	8.6%	45,682	46,532	1.9%	4.6%	3.0	3.3	0.3
Infiniti	4,096	3,123	-23.8%	-20.0%	13,658	11,043	-19.1%	-15.5%	0.9	0.8	-0.1
Jaguar	1,125	1,015	-9.8%	-6.8%	3,930	4,018	2.2%	-0.3%	0.3	0.3	0.0
Jeep	16,764	14,754	-12.0%	-1.6%	50,514	45,089	-10.7%	-4.4%	3.4	3.2	-0.2
Kia	16,363	18,975	16.0%	11.8%	50,508	51,463	1.9%	4.6%	3.4	3.6	0.2
Land Rover	4,174	3,532	-15.4%	-2.3%	12,938	12,462	-3.7%	-0.8%	0.9	0.9	0.0
Lexus	16,606	15,467	-6.9%	-3.4%	45,456	44,916	-1.2%	-1.0%	3.0	3.1	0.1
Lincoln	1,766	1,646	-6.8%	8.8%	5,140	4,557	-11.3%	2.3%	0.3	0.3	0.0
Maserati	572	319	-44.2%	-32.9%	1,808	1,058	-41.5%	-33.7%	0.1	0.1	0.0
Mazda	11,771	10,922	-7.2%	-1.7%	35,734	31,959	-10.6%	-11.1%	2.4	2.2	-0.2
Mercedes	18,442	20,026	8.6%	11.7%	58,008	56,881	-1.9%	-0.3%	3.9	4.0	0.1
MINI	2,015	1,765	-12.4%	-10.4%	6,856	5,460	-20.4%	-16.8%	0.5	0.4	-0.1
Mitsubishi	1,875	1,611	-14.1%	-0.4%	6,521	6,463	-0.9%	4.9%	0.4	0.5	0.1
Nissan	27,147	22,956	-15.4%	-1.0%	99,638	75,884	-23.8%	-8.3%	6.6	5.3	-1.3
Other	864	953	10.3%	11.8%	2,712	2,990	10.3%	6.8%	0.2	0.2	0.0
Porsche	3,055	4,109	34.5%	25.6%	9,993	10,671	6.8%	9.0%	0.7	0.7	0.0
Ram	10,297	9,775	-5.1%	18.9%	28,084	29,333	4.4%	26.3%	1.9	2.1	0.2
Subaru	20,375	20,450	0.4%	2.6%	58,501	57,930	-1.0%	4.9%	3.9	4.1	0.2
Tesla	22,744	18,542	-18.5%	-1.4%	44,365	58,627	32.1%	50.8%	2.9	4.1	1.2
Toyota	86,909	86,115	-0.9%	-0.9%	257,684	244,644	-5.1%	-2.5%	17.1	17.1	0.0
Volkswagen	10,753	11,933	11.0%	1.4%	33,626	35,747	6.3%	3.5%	2.2	2.5	0.3
Volvo	3,129	3,206	2.5%	8.9%	9,227	9,096	-1.4%	1.0%	0.6	0.6	0.0

The table above shows new retail light vehicle (car and light truck) registrations in California. Figures are shown for the Third Quarters of 2018 and 2019, and ytd totals. The top ten ranked brands in each category are shaded yellow Source: IHS Markit.

California Auto Outlook

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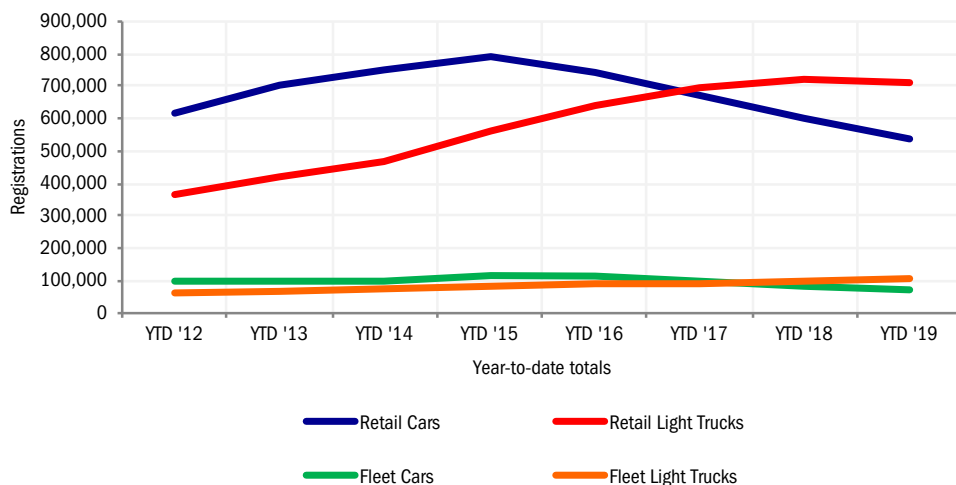
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BREAKDOWN OF RETAIL AND FLEET MARKETS

Retail Passenger Car Registrations Likely to Decline for Fourth Consecutive Year in 2019

California New Car and Light Truck Retail and Fleet Registrations - 2012 thru 2019, YTD thru Sept.



Data Source: IHS.

PERCENT CHANGE:
YTD '19 vs. YTD '18 (September)

Retail cars: DOWN 10.2%

Retail light trucks: DOWN 1.4%

Fleet cars: DOWN 15.5%

Fleet light trucks: UP 7.7%

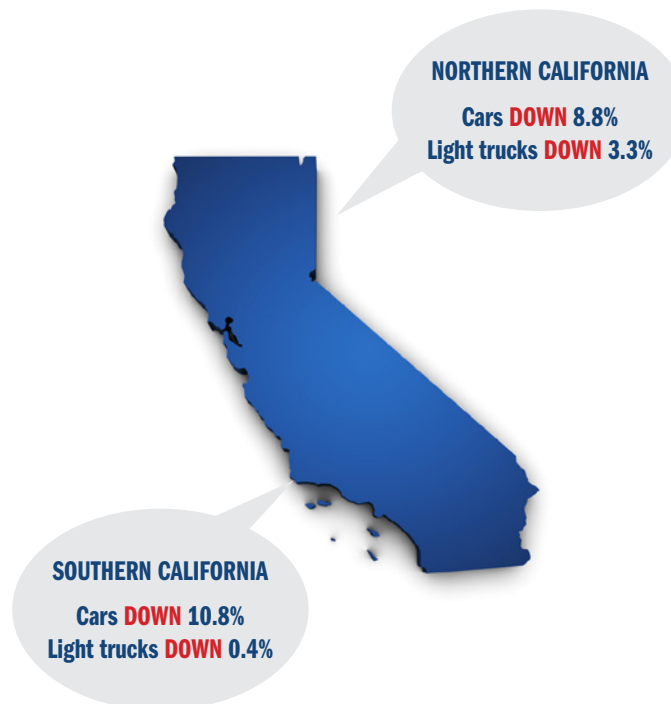
REGIONAL MARKETS IN CALIFORNIA

Los Angeles and Orange County Retail Market Declined by 5%

New Retail Light Vehicle Registrations (excluding fleets) YTD thru Sept.			
North and South California	YTD '18	YTD '19	% chg.
Statewide Total	1,320,274	1,249,092	-5.4%
Cars	598,613	537,682	-10.2%
Light Trucks	721,661	711,410	-1.4%
Northern California	453,712	428,144	-5.6%
Cars	194,075	176,956	-8.8%
Light Trucks	259,637	251,188	-3.3%
Southern California	866,562	820,948	-5.3%
Cars	404,538	360,726	-10.8%
Light Trucks	462,024	460,222	-0.4%
Selected Regional Markets			
San Francisco Bay	258,901	242,849	-6.2%
Cars	119,141	108,675	-8.8%
Light Trucks	139,760	134,174	-4.0%
LA and Orange Counties	518,360	492,485	-5.0%
Cars	251,539	224,870	-10.6%
Light Trucks	266,821	267,615	0.3%
San Diego County	112,212	105,754	-5.8%
Cars	48,168	42,178	-12.4%
Light Trucks	64,044	63,576	-0.7%

Data Source: IHS .

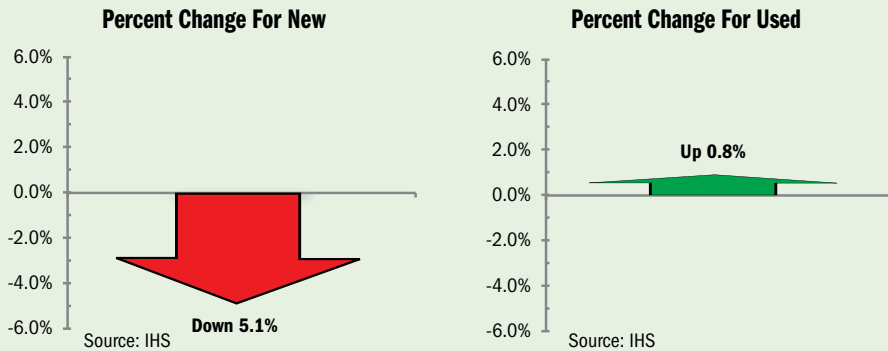
Percent Change in New Retail Registrations - YTD '19 vs. YTD '18



TRACKING THE CALIFORNIA USED VEHICLE MARKET

Used Vehicle Market Increased By Less Than 1 Percent During First Nine Months of 2019

Comparison of California New and Used Vehicle Markets - Percent change in registrations (YTD '19 thru September vs. YTD '18)



5 KEY TRENDS IN USED MARKET



01. Used light vehicle registrations in the state were up 0.8 percent thru September of 2019.
02. Used light truck registrations were up 3.8 percent. Cars declined by 1.4 percent.
03. Registrations for 6 year old or newer vehicles were up 5.0 percent so far this year.
04. Honda Civic was the best seller in the six year old or newer market, while Toyota RAV4 had a big increase.
05. Toyota was the brand leader in the six year old or newer market. Ford was second.

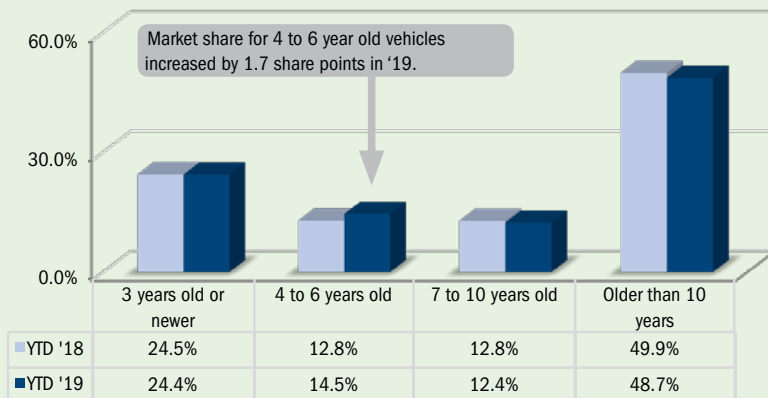
California Used Light Vehicle Registrations - YTD thru September					
	Registrations		% Change '18 TO '19	Market Share	
	YTD '18	YTD '19		YTD '18	YTD '19
TOTAL	2,888,943	2,911,268	0.8%		
Cars	1,691,533	1,667,925	-1.4%	58.6%	57.3%
Light Trucks	1,197,410	1,243,343	3.8%	41.4%	42.7%
Domestic	1,019,290	1,013,650	-0.6%	35.3%	34.8%
European	405,515	417,675	3.0%	14.0%	14.3%
Japanese	1,327,886	1,341,586	1.0%	46.0%	46.1%
Korean	136,252	138,357	1.5%	4.7%	4.8%

Source: IHS

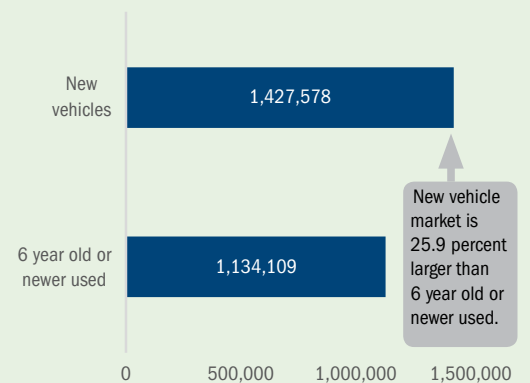
ANALYSIS OF USED VEHICLE REGISTRATIONS BY VEHICLE AGE

Market Share for 4 to 6 Year Old Vehicles Increases

Used Vehicle Market Share by Age of Vehicle YTD '19 thru September vs. YTD '18



6 Year Old or Newer Used and New Vehicle Registrations YTD '19 thru September

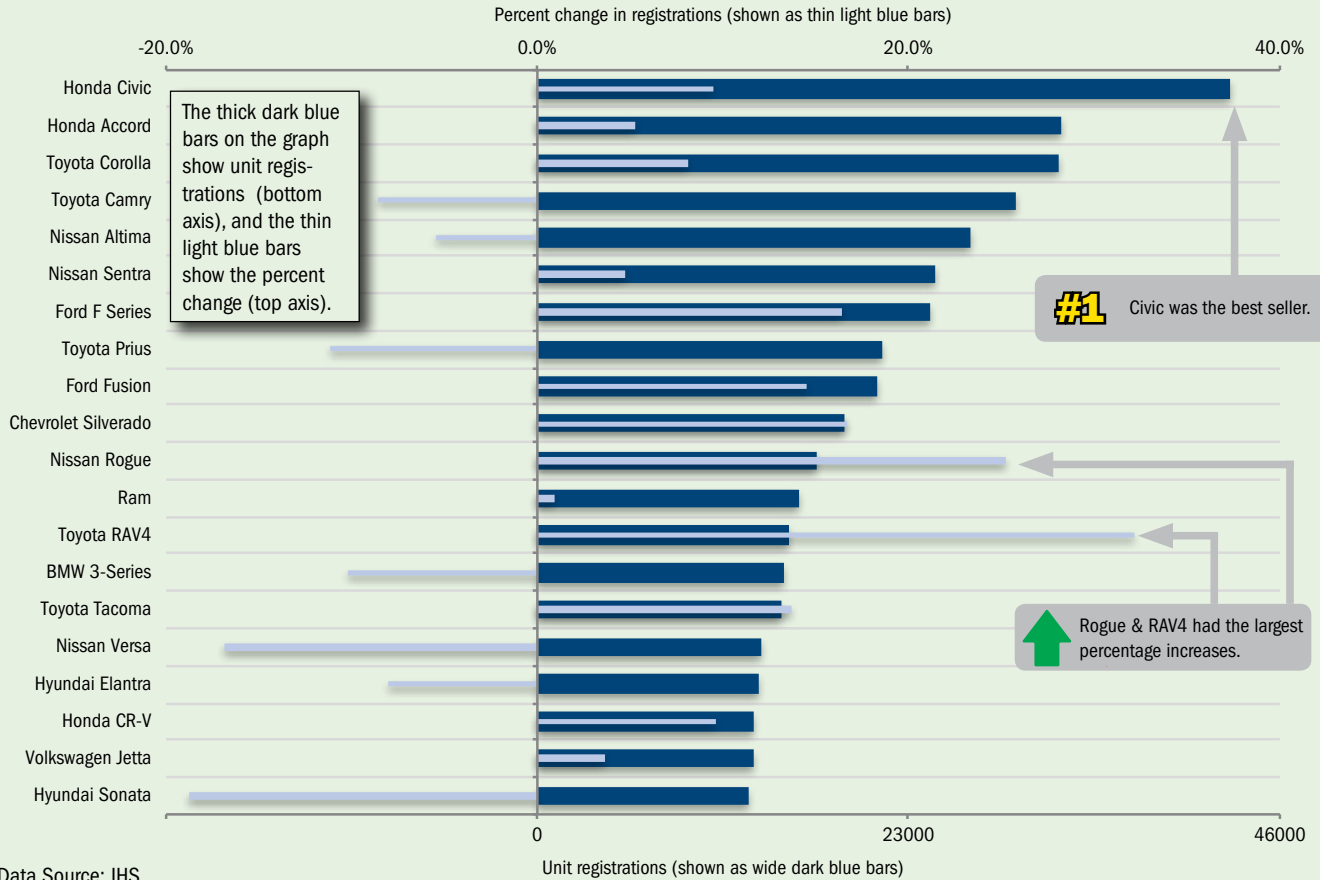


Data Source: IHS.

TOP SELLING USED VEHICLES

Civic is Best-Seller in State Used Vehicle Market; RAV4 and Rogue Had Largest Percentage Gains

Registrations (YTD '19 thru September) and Percent Change in registrations (YTD '19 thru September vs. YTD '18)
Top 20 Selling Models (6 years old or newer)

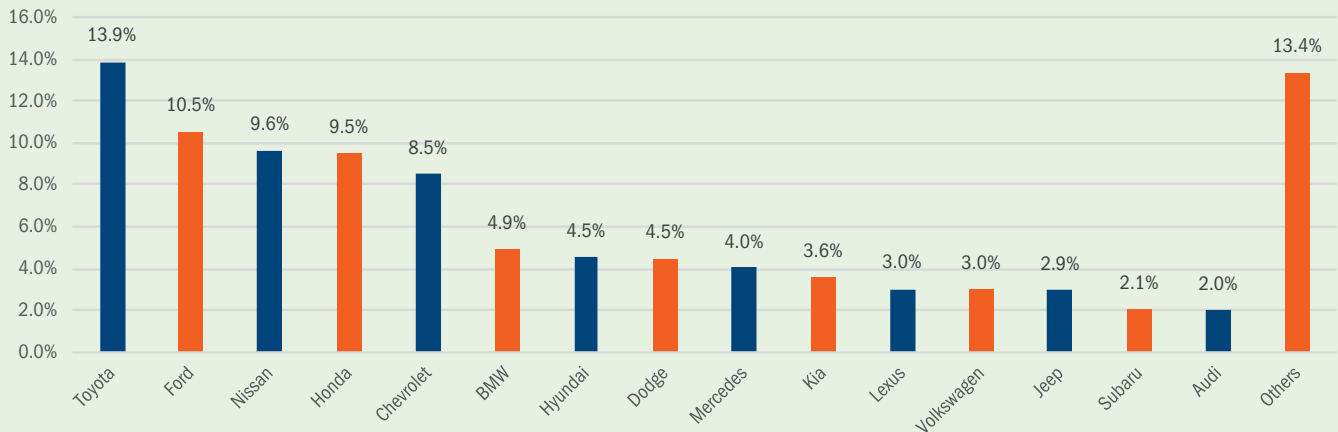


Data Source: IHS.

TOP SELLING BRANDS

Toyota Market Share in Six Year Old or Newer Used Vehicle Market is 13.9 Percent

Top 15 Selling Brands in California Used Vehicle Market (vehicles 6 years old or newer)
YTD '19 thru September



Data Source: IHS.

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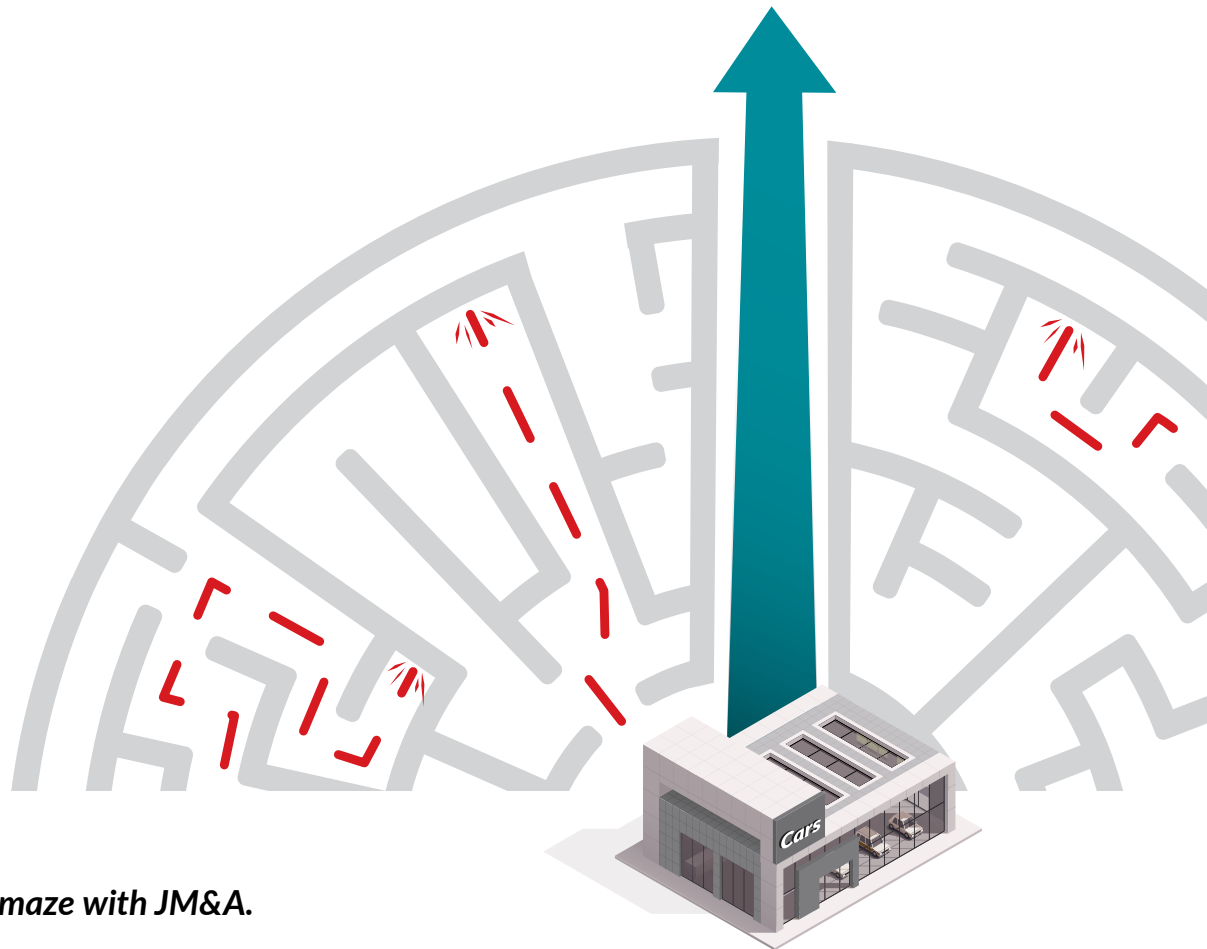


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