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Chairman's Letter

By Paul Dyke, Chairman, New Car Dealers Association

It is with both excitement and gratitude that I write to you again as chairman of the board for the New Car Dealers Association — a role I last held 10 years ago. When I completed my previous term, I knew our industry would continue to evolve rapidly, but none of us could have fully predicted just how much would change.

From electric vehicles and advanced driver-assist technologies to new regulatory requirements and threats to the franchise model, the past decade has challenged us to adapt and innovate like never before. Through it all, the New Car Dealers Association has remained a trusted advocate and resource for our members — keeping us connected, informed and prepared for whatever comes next.

I am honored to return to this position at such a pivotal time. Working alongside our association president, Scott Webb, and his dedicated team, I look forward to building on the progress we've made and continuing to strengthen our collective voice. Whether it's representing you in Sacramento or providing the tools and education you need to run your dealerships successfully, our mission remains the same: to support the dealer community in every way we can.

I also want to stress how important the San Diego International Auto Show is to our collective success. Beyond exciting the public about new vehicles and cutting-edge technology, it is the most effective opportunity we have each year to influence purchase decisions. This is why your participation is so critical — whether through ad group involvement or stepping up to display vehicles when a manufacturer chooses not to exhibit. The Auto Show's strength depends on the commitment of our dealer body, and when we all invest, the entire market benefits with stronger traffic and more sales. Together, we can ensure the show remains a must-attend event that drives results for every brand and every store.

It is truly a privilege to serve you once again. I encourage every dealer member to engage with the association — take part in events, stay connected to our legislative efforts and make the most of the resources available to you. Together, we can ensure that the next chapter for new car dealers is as strong and successful as ever.

Sincerely,
Paul Dyke

The Auto Show's strength depends on the commitment of our dealer body, and when we all invest, the entire market benefits with stronger traffic and more sales.





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Getting To Know Incoming NCDCA Chairman Paul Dyke

Have you had any mentors along the way, and what did they teach you?

When I moved to California, my first boss was Art Dorin. He was interesting, strong and to the point, but fair. He had an old-school mindset and liked that I was committed to the business, working 29 days out of 30, 12 hours a day. Art is the one who brought me on at El Cajon Ford, where I met my other mentor, Paul Leader. His personality was similar to Art's. He was grumpy and gruff, but he had a huge heart and was very loyal to his customers.

Under their guidance, I learned how important it was to be loyal to your customers and employees. The number one lesson I learned was that when people screw up, move on. If they screw up too much, well, you've got to do something different, but usually they don't screw up twice if you handle the matter right. Another lesson they taught me was to do things the right way the first time. Things are so much easier that way.

What has been the most rewarding part of your career?

Probably working with my employees, the customers and interacting with the community. We have almost an 80% repeat customer business, which is unheard of. And we're now selling cars to second and third generation families, which is really cool. We have a very loyal customer base. I am also really proud of the tenure in my store. My sales department averages about 15 years of tenure. The service department's average tenure is over 25 years. My problem is I have employees who should have retired five years ago, but they're still hanging on. They have been here for 35-40 years and are incredible mentors to people coming up in the service department. It really works out well. They don't have to do all the hard work. They make the younger employees pull the engines and transmissions, and then show them how to work. We build our team from within.

It is important to us to support our community. We do a lot for local youth, donating to the Lakeside Boys and Girls Club and the Lakeside Optimist Club. We sponsor just about anything they ask us to do because the money goes right back into the community, where it is needed to help the well-deserving youth.

Paul Dyke was born and raised in St. Louis, Missouri. As a child, his neighbor was big into the auto business, and Paul detailed cars for him. Paul became accustomed to being around cars and grew to love the industry. When Paul turned 18, he sold cars briefly, then opened up his own detail shop. But Paul wanted more.

"Even as a young man, I had goals. I needed to figure out how to move out of Missouri. I wanted to end up in California," Paul said. By the time he was 21, Paul was working as the used car manager at El Cajon Ford in El Cajon, California. He's been there for 36 years and currently holds the title of president and dealer.

El Cajon Ford has one location and recently added a Ford Pro Elite Service Center right down the street. The new service center has 30 bays and works on commercial trucks and fleets, which greatly benefits the local business community.

Paul is just beginning his term as the 2025-2026 NCDCA chairman. This is the second time he's served as NCDCA chairman; the first was in 2015-2016. We recently had the opportunity to sit down with Paul and learned more about his career, the industry and what he'd like to accomplish as chairman. The following are excerpts from our conversation.





I have been chairman of the San Diego County Ford Salute to Education Scholarship program for the past five years. The San Diego County Ford dealers have supported this program for 27 years. We have given away \$4.7 million in scholarships and 33 new Ford vehicles to graduating San Diego County high school students.

And then of course, with 150 employees, everyone's got a little leaguer, a cheerleader, a wrestler or a child doing some sort of activity. We try to take care of them and sponsor the teams. And that pays back too. But you know, some of the teams really need the money to make things happen. We have some challenging areas here in El Cajon and Lakeside in East County, and I like to support those areas.

What are the biggest challenges in the industry?

I think it's dealing with all the laws that California puts out against the dealerships. It makes it really tough to do business in California — many people are leaving California because it's such a challenging environment to do business in. I hope that at some point, that changes. We can't handle any more pressure, so something's got to give.

What goals do you have as chairman, and what can members do to help you reach them?

My primary focus will be on addressing the laws and increasing member engagement.

Each year, we hold Dealer Day at the Capitol, where we meet with elected officials and let them know what challenges we are facing — trying to get our foot in the door with them to help address what is happening. We have a solid group of leadership that always goes, but I wish we could go with a bigger force comprised of our member dealers.

When May comes around for the 2026 Dealer Day, I'd like to have 20+ people to go in addition to the five or six who usually attend. We need to have our message heard. The most important thing for the car business in California right now is for legislation to loosen up on us a little bit. Legislators need to understand what we do in our communities, how many people we employ and the tax dollars we put into California. Sometimes they act like they don't understand it or see everything we do. That can only happen if we show up and share our story.

Additionally, we could use more support from the dealers. The association does some amazing things. You can meet other dealers and build a network by attending events and actively participating in the association. Having a relationship with other members, where you can pick up the phone and say, "Hey, I need some help here," is invaluable. I would also encourage members to talk to fellow dealers who are not currently members about the benefits of joining. There is power in numbers.

How do you manage to balance your professional responsibilities with your personal life?

Believe it or not, I work 9-5, Monday-Friday. I trust my employees; they know what their jobs are and what needs to be done. If I go away for a week or two, I know the place is on cruise control and everybody's doing their job. That's what's so nice about having tenure and very little employee turnover.

Please tell us about your family.

I've been married for 33 years. My wife, Michelle, and I have two sons. PJ works with me here at the dealership. Justin used to work at the dealership, but he chose a different career path and is doing really well. PJ gave us a grandson a year and a half ago. And then there's another baby boy coming in December. I am very blessed to have such an amazing family.

What is your favorite way to spend your free time? Do you have any hobbies?

There is nothing I'd rather do than spend time with family, especially my grandson. With one more on the way, grandchildren are going to be a big part of my life.

My son PJ and I race stock cars all over California. In fact, I just became the Southern California IMCA Stock Car Champion, which I am very proud of. I also enjoy boating and fishing. Every year, our family takes the boat to Catalina Island around Labor Day. It's a fun tradition. Additionally, my youngest son and I go salmon fishing in Alaska once or twice a year.

Any last thoughts?

I feel very lucky and cherish all the people I've met because of the car business. Whether that's employees, other dealers or customers, you'll often find me sitting on the sales tower welcoming customers, with 80% of our business being repeat customers. I want them to walk in, see me, and then see their salesman, who they had five years ago. ◀



2025 NCDA Golf Tournament, Annual Meeting & Luncheon

Thank you to our sponsors and participants for making this such a memorable event! We hope you enjoyed your day at the Maderas Golf Club, and we look forward to seeing you again next year on May 6. 🏌️









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SAN DIEGO COUNTY

Golf Tournament, Annual Meeting & Luncheon
May 7, 2025

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Gold



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Contributor



Introducing New NCDA Board Members



MAX JOHNSON

Max was born and raised in Southern California. He started his automotive career with Hoehn Motors as a lot porter at their Honda store. Since then, he's worked for Penske Automotive Group, a service tech startup, and returned to Hoehn Motors in 2019 at Audi Temecula as the CPO manager. Max has worked for Audi for 11 years and absolutely loves the brand. He is a recent graduate of the NADA Academy #450 and served as the class president. Max also holds a bachelor's degree in criminology but never used it because he fell in love with the car business while in school. He has been married to his wife, Ana, for six years, and they have one daughter. Max enjoys doing projects around the house, camping, off-roading, riding his bike and generally anything that gets him outdoors.

PAUL FILLMORE

Paul Fillmore is a seasoned automotive sales and operations leader who currently serves as general manager for Kearny Mesa Chrysler Dodge Jeep Ram, San Diego Chrysler Dodge Jeep Ram and VinFast San Diego — all part of the Sunroad Automotive Group. He brings broad dealership oversight and a customer-first approach to multi-franchise operations. Paul played a visible role in Sunroad's launch as VinFast's first authorized dealership partner in California, stressing the opportunity to shape a new chapter in EV retail for the region.

Paul is a native of Texas and studied at Texas A&M University, where he earned a degree in systems management. Paul's career in automotive retail began in Fort Worth, Texas, in 2005, and he arrived in San Diego just before the COVID-19 pandemic to take on the GM role at Subaru of El Cajon and South County Buick GMC.

Paul, his wife, Tanette, and all four of their children live, work and play in their amazing new hometown of San Diego. 





Diana Sweitzer

Celebrates 10 Years at NCDA

Please join us in celebrating the 10-year work anniversary of Diana Sweitzer at the New Car Dealers Association San Diego County. Diana joined the NCDA in June of 2015 and has proven to be a dedicated professional, specializing in accounting management and administration. Known for her strong attention to detail and commitment to operational excellence, Diana plays a key role in supporting the financial health and administrative functions of the organization.

Outside of her professional life, Diana is a fitness enthusiast and avid lover of the outdoors. At her gym, Diana is known as Wonder Woman, and she inspires others to embrace healthier lifestyles through fitness and community. She often organizes hikes with friends and family and participates in challenging fitness events.

Diana exemplifies strength, discipline and leadership, both inside and outside of the office. Congratulations, Diana! ◆



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Dealer Management Systems

Lessons From a Cyberattack

 **SCALI RASMUSSEN** By Scali Rasmussen

The June 2024 ransomware attack on CDK disrupted dealership operations nationwide. For nearly two weeks, many dealers could not process sales, repair orders or routine management tasks. Staff resorted to pen-and-paper record keeping. Transactions stalled, warranty submissions backed up and communication with manufacturers slowed. Anderson Economic Group later estimated that dealers suffered more than \$1 billion in direct losses during the outage.

The event underscored a reality every dealer knows: The Dealer Management System (DMS) is not a back-office tool; it is the backbone of the business. Manufacturers require dealers to maintain a DMS for reporting new vehicle sales, warranty claims and service work. Dealers depend on it for financial reporting, payroll, inventory tracking and customer communications. The DMS also houses sensitive information, like customer contact details, Social Security numbers, financial records and other confidential business data.

Because of the sensitivity of this information, both federal and state laws impose privacy and security obligations. Dealers and their vendors must use reasonable safeguards to protect records and, if records are compromised, comply with notification and reporting requirements to regulators and affected consumers. Recognizing how central the DMS is to compliance, some states adopted dealer protection statutes. These statutes confirm that dealers own their data, require vendors to maintain safeguards and prohibit contractual terms that prevent dealers from meeting their obligations under privacy laws.

Even with these protections, many dealers learned after the CDK event that their contracts left them exposed. Typical provisions include:

- **Liability limits** that cap damages at the cost of services. For a dealer, this means the vendor's liability for a weeks-long outage may equal little more than the monthly fee, while the dealer bears the financial and reputational harm.
- **Termination fees** that impose heavy costs if a dealer seeks to move to another provider, even after a significant outage.
- **Gaps in coverage** for compliance costs. Dealers may have to pay for consumer notices, regulatory filings and third-party claims, even if the trigger was a cyber event affecting the vendor.

To be clear, most DMS providers strive to maintain secure systems and strong contractual relationships. However, the lessons of 2024 highlight the need for dealers to evaluate contracts and coverage with care.



PRACTICAL STEPS FOR DEALERS

Dealers can take several steps to reduce future risk:

1. **Negotiate liability provisions.** Push to eliminate broad limitations of liability or, at a minimum, carve out business interruption losses tied to outages outside the dealer's control.
2. **Expand indemnity clauses.** Ensure the contract requires the vendor to cover costs associated with regulatory compliance, consumer notices and third-party claims linked to a vendor cyber event.
3. **Secure termination rights.** Add language confirming that a significant outage or compromise of data constitutes a material breach that allows early termination without penalty.
4. **Review insurance coverage.** Cyber and business interruption insurance should cover primary losses and secondary costs like forensic investigations, customer communications and reputational repair.
5. **Establish a response plan.** Work with counsel to create a playbook for how the dealership will respond to vendor-related outages, including communication with staff, customers and regulators.

Dealers that treat their DMS agreements and insurance coverage as part of their risk-management program will be better positioned to withstand future disruptions.

QUESTIONS TO ASK YOUR VENDOR

Dealers should also engage in proactive dialogue with DMS providers. Helpful questions include:

- What cybersecurity frameworks and third-party audits do you follow?
- How often are backups tested and how quickly can service be restored?
- What is your incident notification process and timeline?
- How will you support dealers in complying with federal and state privacy laws in the event of a breach?
- What contractual flexibility exists if a major outage occurs?

These questions foster transparency and demonstrate a dealer's commitment to partnership.

LOOKING FORWARD

The DMS is indispensable to every dealership. Providers and dealers share an interest in resilient, secure systems that protect data and

ensure business continuity. Contract negotiations like the ones suggested here only benefit and protect both parties, aligning risk with responsibility and promoting long-term trust.

The CDK incident is not the last cyber event the industry will face. Technology will continue to evolve, as will the threats. Dealers that treat their DMS agreements and insurance coverage as part of their risk-management program will be better positioned to withstand future disruptions.

CONCLUSION

If the events of 2024 taught dealers anything, it is that a DMS contract is just as critical as a floorplan financing agreement or franchise document. Take the time to review your contracts and insurance policies with experienced auto industry counsel. Doing so now helps ensure that when the next challenge comes, dealers and providers can move forward with resilience. ◀

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From **QUIET** to **LOUD** Vacations

Tips for Creating Supportive PTO Policies

Fisher
Phillips

By Fisher Phillips

The trend for workers to hide their time off from their managers — known as “quiet vacationing” — has taken a sharp turn. Employees are now “loud vacationing” by openly sharing their travel plans and using their paid time off (PTO) without hesitation. While this should be a welcome shift for employers, it also highlights the importance of creating supportive policies that balance employee well-being with workplace productivity. How can you help your employees and your business thrive this summer and beyond? Here are seven tips to help you refresh your PTO policies.

1. START BY REVIEWING THE LATEST EMPLOYEE TRENDS

Here's why you should consider revisiting your organization's approach to PTO and start encouraging loud vacationing:

- 85% of employees believe that vacations boost their happiness.¹
- 46% don't use all their allotted PTO in a year.²
- 47% feel guilty about taking a vacation.³
- 68% say they work during vacation.³

Why Employees Aren't Using Their PTO

Among workers who take less paid time off than offered, % saying each is a reason why:



2. CREATE A PLAN TO REVAMP YOUR PTO PROGRAM

There's no one-size-fits-all PTO plan, and your policies will depend on the unique needs of your business. However, as you consider updating and modernizing your program, you can start by asking yourself the following questions:

- How do your PTO policies stack up against offerings from your competitors and other businesses in your area?
- Are you providing enough time off each year for employees to disconnect as needed?
- Do you have an adequate system for tracking and approving PTO use?
- Do you have clear procedures for handling requests at popular times or during your busy season?
- Have you asked employees for feedback about their experience requesting or using PTO?
- Have you identified any patterns of underuse organization-wide or in particular departments?
- Do you have a legally compliant cap on accrual of paid time off or a legally compliant PTO policy?
- Do your policies comply with all applicable federal, state and local leave laws?

3. CONSIDER DIFFERENT TYPES OF PTO MODELS

To embrace paid vacationing, you may need to think outside the box. But first, let's talk about unlimited PTO models, which have become popular in recent years. Under these plans, employees don't have a set number of PTO days, accruals or caps. Instead, they request paid time off as needed or desired, and managers use their discretion to approve or deny such requests. These policies place no cap on the amount of time an employee can take off.

The benefits of an unlimited PTO policy include:

- More flexibility for employees to take the time they need, when they need it, rather than waiting for PTO to accrue.
- May be a good recruiting and retention tool, as it promotes autonomy over the employees' own work-life balance.
- May avoid employee burnout.
- Reduced administrative costs for employers in tracking PTO.
- Cost savings, as in some states there is no need to pay out unused PTO days at the end of the employment relationship if the employer truly has an unlimited PTO policy.

But watch out for these potential pitfalls of unlimited PTO policies:

- You may have employees who prefer to "earn" accruals rather than use their discretion in taking time off.
- Some employees may request less time than they need, while others may request excessive time off.
- Managers may not apply and enforce policies consistently, which could lower morale or lead to discrimination claims.
- Although the purpose of a vacation allowance is to encourage employees to disconnect and recharge, they may be frustrated if they can't cash out unused vacation time upon separation — especially if your old policy allowed it or state law requires you to pay out accrued vacation at termination.
- Combining vacation and sick time off may run afoul of various state and local sick leave laws.

Some states may still classify unlimited PTO as "earned wages" depending on how the policy is structured and applied — so check with your attorney on the legal nuances for your locations. For example, scan the QR code to read about California-specific issues.



<https://www.fisherphillips.com/en/news-insights/unlimited-ptogreat-resignation-concerns-practical-tips-policy.html>

To address some of the concerns with unlimited vacation programs, some employers are setting "minimum PTO" or "mandatory vacation" policies — meaning they require employees to take at least a certain amount of time off a year.

The benefits of this type of policy include:

- Helping prevent burnout and encouraging better work-life balance by ensuring employees take breaks from work.
- Helping managers plan for absences and schedule work assignments accordingly.
- May be a good recruiting and retention tool.
- You can be flexible in your approach. For example, an unlimited policy can be combined with a minimum requirement to reap the benefits of an unlimited PTO plan and address some of the pitfalls (like the fear of taking time off that's not "earned"). You can also combine minimum PTO with accruals or other policies that provide a set number of earned vacation time per year to avoid high cash-outs or rollovers at the end of the year if offered by your company or required in your jurisdiction. However, be vigilant of state-specific requirements, such as California-specific issues relating to accrual caps and payment of PTO at separation.
- You can still award employees with extra time off based on tenure, for example, by raising the minimum for employees with seniority.

A word of caution: You'll want to ensure your written policy is developed and implemented carefully so that the minimum doesn't unintentionally become the maximum. We'll discuss corporate culture in more detail next.

4. WORK WITH EMPLOYEES TO REDUCE ANXIETY

According to Glassdoor's research, 77% of employees feel anxious about the workload they'll face when they return from vacation. You can help assuage their fears by:

- Scheduling a 1:1 meeting prior to their vacation to go over any projects or tasks that will need to be reassigned to other employees during their absence.
- Encouraging them to truly disconnect while on vacation and reassuring them that you have an adequate work-coverage plan in place.
- Following up when they return to work to help prioritize tasks and manage their workload.
- Offering words of encouragement to enjoy their time off and welcoming them back when they return.

5. CREATE METRICS FOR MANAGERS

You'll certainly want to train your managers on your PTO philosophy and policies. But you can go a step further in the spirit of loud vacationing by developing performance metrics for managers based on time-off objectives for their teams. Consider doing the following:

- Analyze team PTO use to ensure sufficient time is being taken by all employees.
- Address patterns of underuse. Is the manager discouraging vacation use, or are employees hesitant to take time off for some reason? Get to the root of the issue.
- Assess whether PTO is being approved and used equitably across the team. If not, find out why and address any disparities.
- Ask employees for feedback. You can periodically survey employees to find out what is and isn't working for them. Just remember that if you ask employees for their input, it's important to follow up and address their concerns.

6. DON'T FORGET THE LEGAL STUFF

- Ensure your PTO policies align with all applicable federal, state and local leave laws — including paid family leave, paid sick leave and accrual requirements. Note that some states have banned “use-it-or-lose-it” PTO policies or require employers to pay out accrued but unused PTO at the end of employment.
- Employers with multiple locations may need to make jurisdiction-specific adjustments.
- Be sure to create a clear and objective process for approving or denying vacation requests, whether based on performance issues, busy seasons or seniority during popular vacation times.
- Document your legitimate business reasons for denying requests. Make sure decisions are made consistently and fairly to reduce the risk of discrimination claims. Consult with legal counsel, if needed, to ensure the denial doesn't interfere with protected leave.
- Train managers on PTO policies and basic leave-law compliance and let them know who to contact on your HR or legal team when issues arise.

7. LEAD BY EXAMPLE

We'll end with one of the most important aspects of a thriving workplace culture: Remember that your senior leadership team sets the tone for the entire organization. To embrace loud vacationing, your leaders must prioritize and value their own time away from work — and they should let your employees know about it.

To set the tone, think about taking these actions:

- Encourage senior leaders and all managers to mention in their internal out-of-office message that they are on vacation and disconnecting while away. Be sure they designate a point person for critical issues in their absence.
- Talk about PTO in team meetings. Give space for employees to share their vacation plans or post-vacation stories — but also be sure to respect their privacy.
- Create a space on your internal portal or team site where employees can voluntarily share their vacation photos. (You can designate someone in HR to upload submissions and ensure professionalism.)

CONCLUSION

Fisher Phillips will continue to monitor developments in this area and provide updates as warranted, so scan the QR code to subscribe to Fisher Phillips' Insight System and get the most up-to-date information. For further information, contact your Fisher Phillips attorney. ◀



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Iceberg Effect

The Hidden Costs of Accidents

By Sam Celly, MS, JD, CSP, Celly Services Inc.

Workplace accidents can be expensive for any corporation. Management often can brush away accidents and injuries by stating that it is just part of doing business. Some may look at accidents in terms of the dollar costs of treating injured employees, replacing injured employees, replacing broken machinery, etc. Accident-related expenses often go much deeper than what meets the eye. Hence, the iceberg effect.

The visible tip of an iceberg represents only a tiny fraction of its true impact, just like the immediate costs of an accident. Managers understand the acute impact of workplace injuries — medical bills, damaged equipment and downtime — but the hidden costs lurking beneath the surface are even more devastating.

Accidents come with substantial costs that often go unnoticed until they start piling up. Here are some common ones.

- **Loss in Productivity:** When an accident happens, work slows down or stops entirely, resulting in delays and inefficiencies. For example, your only transmission mechanic breaks an arm and is gone temporarily for six weeks on disability. You must find a substitute. For calculation purposes, the tech was paid \$40/hr. Your labor rate is \$240/hour. The \$200 differential at 40 hours/week is \$8,000 weekly. For six weeks of downtime, you lost \$48,000. Lost time is serious money!
- **Employee Replacement Costs:** If the employee is permanently disabled, you need to hire another mechanic. Lube techs may come easily; a master mechanic is likely more difficult to lure to your store. According to the 2023 NADA Dealership Workforce Study, the average cost to recruit and onboard a new hire is \$5,000. Time to fill is another factor, impacting overall costs. According to DHI Group's Hiring Indicators 2017 Report, the retail industry had a time-to-fill average of 25 days. That's 25 days of customers waiting for a specialist to repair their vehicle.
- **Training Costs:** Companies spend significant time and money training new hires in the company standards and their way of conducting business. According to the NADA Study, the average training cost for dealership employees is \$1,200. These can spin upward of \$10,000 per employee, depending on their skill level and job, according to CBTNews!

- **Legal Fees and Fines:** Companies may face lawsuits, regulatory fines or settlements, which can be financially draining. OSHA fines and penalties are \$16,500 per violation and \$165,000 for a willful violation. With nearly 40 years of experience in workplace safety, I am confident that OSHA will find a code violation for a serious accident, roping you into a regulatory morass of appeals, hearings and penalties. Trial lawyers are lurking in the waters, too. If they smell employer culpability that caused a serious accident or harm, they will bypass the workers' comp judge under some novel theory and head to the Superior Court.
- **Equipment and Property Damage:** Repairs and replacements for damaged tools, machinery or infrastructure can be costly. Downtime for equipment can create a backlog and loss of productivity. If a customer's vehicle is damaged during the incident, associated costs may follow, such as providing a loaner until repairs are made.
- **Increased Insurance Premiums:** Insurance costs often rise after an accident, adding immediate and long-term financial strain to the dealer.
- **Emotional and Psychological Impact:** Accidents can lower morale, increase stress and lead to long-term emotional effects on employees.
- **Reputation Damage:** A serious accident can hurt a company's public image, making it harder to attract employees and even customers. Customers may demand a buyback if a vehicle is damaged during an accident at the dealership.

This is an excellent framework for understanding why proactive workplace safety measures are a financial necessity and not merely compliance. Preventative measures like rigorous safety training, regular equipment maintenance and fostering a safety-conscious workplace culture can significantly reduce these risks. **Companies that invest in safety upfront often find that their return on investment (ROI) outweighs the costs of handling accidents after they occur.** ◀

DISCLAIMER: The contents of this article are for informational purposes only and are not to be considered as legal advice. Employers must consult their lawyer for legal matters and EPA/OSHA consultants for matters related to environmental health and safety. The article was authored by Sam Celly of Celly Services Inc., who has been helping automobile dealers across the United States comply with EPA and OSHA regulations for over 38 years. Sam is a certified safety professional (No. 16515) certified by the National Board of Certified Safety Professionals. Sam received his BE (1984) and MS (1986) in chemical engineering, followed by a JD from Southwestern University School of Law (1997). Sam is a member of the American Chemical Society (No. 31176063), American Industrial Hygiene Association (No. 124715) and National Association of Dealer Counsel (NADC). Sam also serves on the Board of Orange County American Industrial Hygiene Association and on the California Industrial Hygiene Council (CIHC). Celly Services newsletters can be accessed at www.epaoshablog.com. Your comments and questions are always welcome. Please send them to sam@cellysolutions.com.

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Healthcare Trends Impacting Your 2026 Benefits Strategy

By Alison McCallum, Principal, EPIC Insurance Brokers and Consultants

Dealerships face the crucial challenge of balancing compelling employee benefits with sustainable healthcare cost management. Effectively attracting and retaining talent means looking ahead and adapting to an evolving landscape.

To help you prepare for 2026, here are seven critical trends defining 2026 benefits strategies:

- 1. Accelerating Cost Increases:** The rampant reemergence of healthcare trends continues to outpace inflation, with medical costs rising 8%, pharmacy 10%, dental 5% and vision 4%. These steep increases are putting unprecedented pressure on benefits budgets and causing dealerships to explore alternative strategies.
- 2. Innovative Plan Structures:** Forward-thinking dealerships are exploring alternatives to traditional plans, including Health Reimbursement Accounts (HRAs), Health Savings Accounts (HSAs), variable copay designs and captive insurance arrangements to better control costs while maintaining competitive benefits.
- 3. Compliance Concerns:** Compliance challenges for employee benefits programs continue to stress HR departments. Evolving state absence laws and fiduciary liability continue to be challenging areas.
- 4. Stop Loss Markets:** Stop loss costs are exploding, led by cancer, and high-cost drugs and procedures. Employers are seeing a significant increase in large claims, particularly for cancer treatments, with costs ranging from \$250,000 to \$750,000. While cell and gene therapies remain on the horizon, uptake is slower than initially anticipated. These therapies promise significant advancements but also come with high costs, which will impact stop loss insurance.

- 5. Weight Loss Medication Impact:** The increasing demand for GLP-1 medications is transforming both healthcare utilization patterns and costs. With growing employee demand and an average annual cost of \$12,000 to \$15,000 per patient, dealerships must develop thoughtful coverage strategies that balance access with cost containment.
- 6. Specialty Medication Pipeline:** The specialty medication landscape continues to evolve with breakthrough treatments entering the market. While these medications offer hope for previously untreatable conditions, their six-figure price tags are creating significant financial challenges for self-funded plans.
- 7. Mental Health Access and Equity:** Expanding mental health services remains a top priority, with employers focusing on eliminating barriers to care and ensuring equitable access across diverse employee populations. Virtual care options and specialized EAP programs are becoming standard components of comprehensive benefits packages.

As you plan your 2026 benefits strategy and budget, partnering with an experienced broker who is well-versed in the unique dealership industry is indispensable. If you would like more information or a benefit strategy and cost review, EPIC will provide details to NCDA San Diego members at no cost. 

EPIC ranks among the top 15 retail insurance brokers in the United States and is the largest insurer of auto dealers in the state. Alison McCallum has been in the employee benefits industry for over 20 years and personally works with more than 80 California dealerships. She is a principal with EPIC Insurance Brokers and Consultants. EPIC offers unique dealership expertise and services available to NCDA San Diego dealer members at no cost. If you have questions or would like further information, please feel free to contact her at alison.mccallum@epicbrokers.com or (949) 417-9136.

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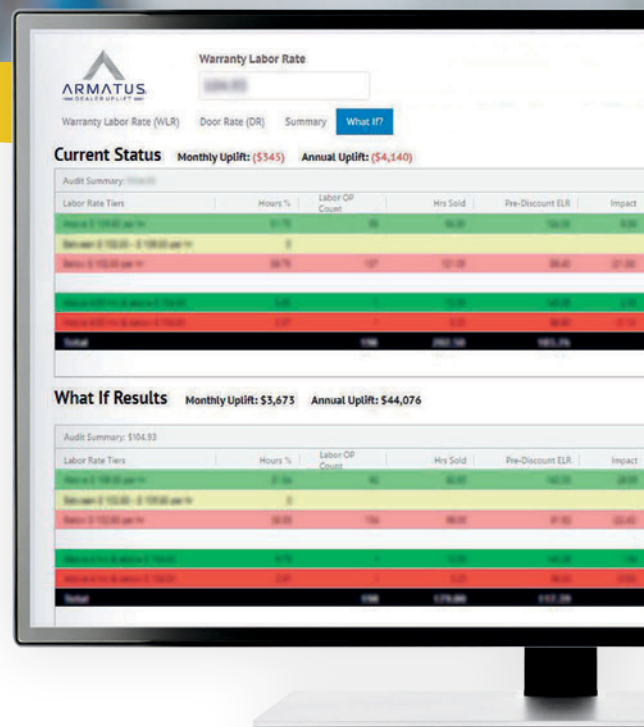
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Dave Cantin Group (DCG) is a leading automotive M&A advisory company specializing in acquisitions, divestitures, intelligence and other advisory services. The company is the M&A services provider of choice for North America's top automotive dealership groups, advising on approximately 40 transactions annually. DCG is differentiated by its advisory approach, long-term lens on client relationships and commitment to market intelligence tools that inform DCG and client strategies. In 2023, DCG became the only retail automotive M&A company with a significant strategic investor, welcoming Kaltroco to the DCG family.

Through its M&A intelligence division, DCG produces automotive content and delivers relevant, timely marketing intelligence, including the automotive industry Market Outlook Report (MOR). With CBT News, DCG produces the "Inside M&A" studio show and podcast to share stories, news and trends impacting the retail automotive industry. DCG's proprietary AI-enabled software, Jump IQ, anchors its advisory services that support retail automotive dealers in developing informed M&A strategies and making smarter M&A decisions.

The company's nonprofit initiative, DCG Giving, funds child and adolescent cancer research and treatment in communities nationwide and other worthy charitable initiatives. DCG team members regularly feature on the industry speaking circuit and are often cited by top national and global news outlets. For more information, please visit www.davecantingroup.com.



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For nearly 45 years, Ferruzzo has served as the preeminent law firm in representing new and used motor vehicle dealerships. Whether buying or selling an existing dealership or opening a new point, our attorneys collaborate with clients to achieve optimal results. We have represented clients in dealing with virtually all automobile manufacturers. We assist our clients in understanding the ins and outs of the manufacturer's requirements. With our deep history with the manufacturers, we have established long-term, productive and invaluable relationships with them.

To date, we have represented clients in the purchase and sale of hundreds of dealerships throughout California and the United States. In each case, we work with your certified public accountant to structure the transaction in a tax-efficient manner. We also regularly work with clients to prepare partnership, operating and shareholder agreements that ensure all owners' interests are protected. Ferruzzo is a full-service law firm that services automotive dealerships in employment practices and compliance, succession planning, real estate transactions and tax strategy planning for a disposition or acquisition of dealerships, with a deep understanding of the unique challenges of doing business in California.

You can contact the managing partner, Timothy J. McElfish, by emailing tmcelfish@ferruzzo.com or calling (858) 392-8250.



Baker Electric's Commercial Solar Group helps auto dealers drastically reduce energy expenses with turnkey solar, microgrid and storage solutions designed for long-term savings and sustainability. Leveraging the full capability of the One Baker multi-trade approach, we can design an energy solution that maximizes the benefits of federal and state incentives, delivering high-performing systems on time and on budget. From rooftops to carport canopy installations, we provide complete design, permitting, construction, utility coordination and financial guidance. Our team's proven expertise and deep industry knowledge make us the trusted partner, for reliable, cost-effective and future-ready energy solutions.

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San Diego Outlook

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Covering the San Diego County automotive market

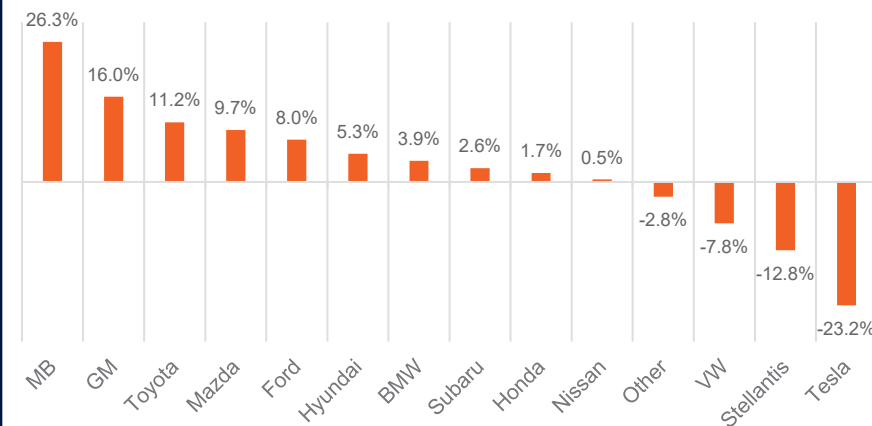
Data thru August 2025

San Diego County New Retail Car and Light Truck Registrations

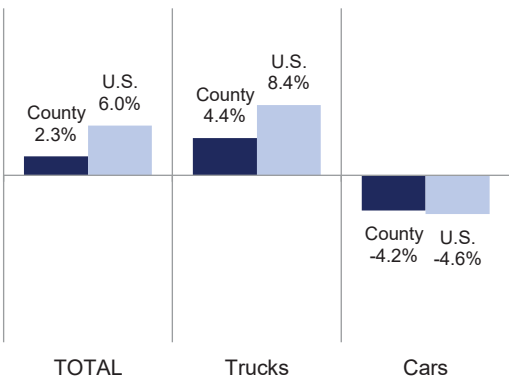
	Most Recent Two Months			YTD thru Aug.			YTD Market Share		
	7/24 & 8/24	7/25 & 8/25	% change	YTD '24	YTD '25	% change	YTD '24	YTD '25	change
Industry Total	23,736	23,990	1.1%	96,207	98,390	2.3%			
Cars	5,857	5,298	-9.5%	24,132	23,111	-4.2%	25.1	23.5	-1.6
Light Trucks	17,879	18,692	4.5%	72,075	75,279	4.4%	74.9	76.5	1.6

Data sourced from Experian Automotive. Figures for August 2025 are partially estimated.

Percent Change in County Registrations by Manufacturer YTD 2025 thru Aug. vs. YTD 2024



Percent Change in County and U.S. New Retail Light Vehicle Markets YTD 2025 thru Aug. vs. YTD 2024



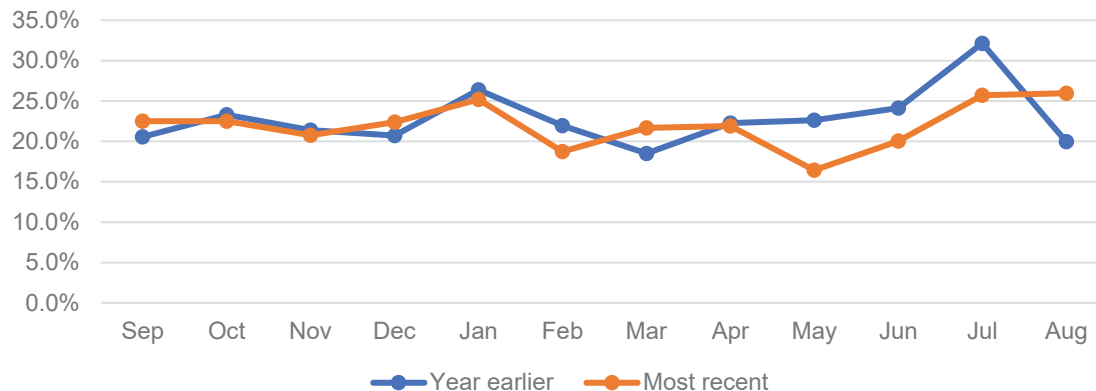
The graph above shows the percent change in new car and light truck registrations by manufacturer during the first eight months of this year versus the same period a year earlier. Data sourced from Experian Automotive. Note: MB is Mercedes-Benz.

The graph above compares the change in new retail car and light truck registrations in both the county and U.S. markets. Data sourced from Experian Automotive.

BEV Share of San Diego County New Retail Light Vehicle Registrations

Year earlier period (blue line): Sep-23 thru Aug-24

Most recent period (orange line): Sep-24 thru Aug-25



Monthly BEV Market Share

Aug-25	26.0%
Jul-25	25.7%
Aug-24	20.0%

The graph above show 24 months of history for BEV (battery electric vehicle) market share in San Diego County. The most recent 12 months are shown by the orange line, and the year-earlier 12 month period is shown by the blue line. Data sourced from Experian Automotive.

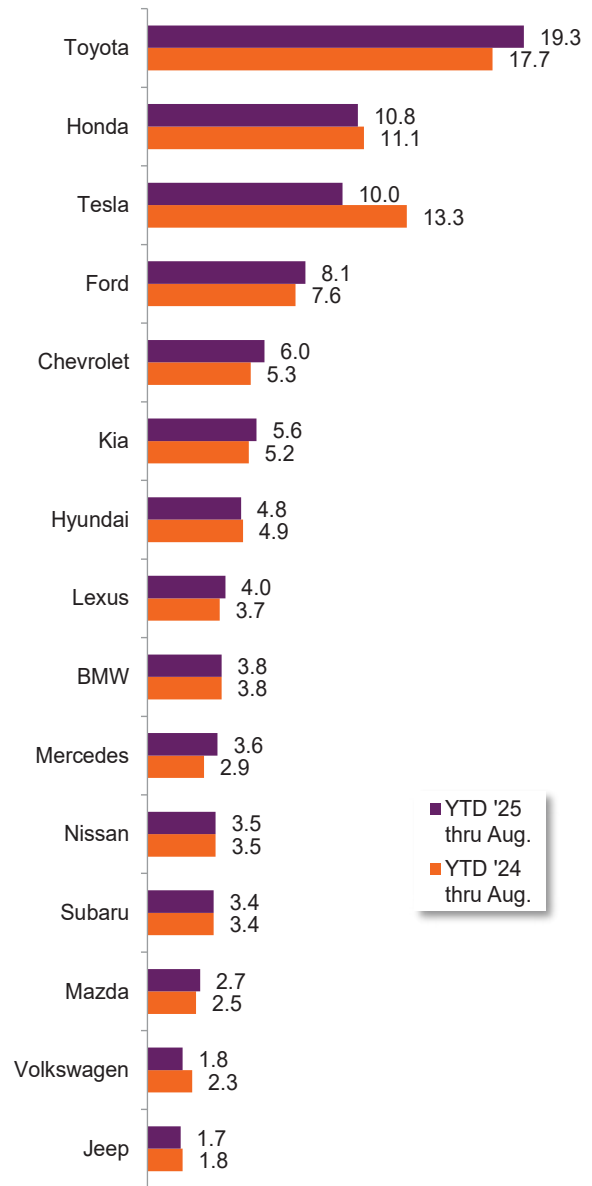
Data Information

Data presented in Auto Outlook measures new retail vehicle registrations in San Diego County. Monthly recording of registrations occurs when vehicle title information is processed, which may differ from date of sale. Title recording can occasionally be subject to processing delays by governmental agencies. For this reason, the year-to-date figures will typically be more reflective of market results.

San Diego County					
New Retail Light Vehicle Registrations					
	Registrations			Market share	
	YTD '24 thru Aug.	YTD '25 thru Aug.	% change	YTD '24 thru Aug.	YTD '25 thru Aug.
Acura	494	711	44%	0.5%	0.7%
Alfa Romeo	46	33	-28%	0.0%	0.0%
Audi	1,550	1,519	-2%	1.6%	1.5%
BMW	3,625	3,752	4%	3.8%	3.8%
Buick	159	186	17%	0.2%	0.2%
Cadillac	605	686	13%	0.6%	0.7%
Chevrolet	5,057	5,894	17%	5.3%	6.0%
Chrysler	172	124	-28%	0.2%	0.1%
Dodge	384	136	-65%	0.4%	0.1%
Ford	7,352	8,003	9%	7.6%	8.1%
Genesis	313	337	8%	0.3%	0.3%
GMC	1,369	1,575	15%	1.4%	1.6%
Honda	10,698	10,666	0%	11.1%	10.8%
Hyundai	4,719	4,719	0%	4.9%	4.8%
Infiniti	215	176	-18%	0.2%	0.2%
Jaguar	90	44	-51%	0.1%	0.0%
Jeep	1,706	1,643	-4%	1.8%	1.7%
Kia	4,979	5,482	10%	5.2%	5.6%
Land Rover	805	940	17%	0.8%	1.0%
Lexus	3,588	3,947	10%	3.7%	4.0%
Lincoln	251	206	-18%	0.3%	0.2%
Maserati	39	25	-36%	0.0%	0.0%
Mazda	2,402	2,636	10%	2.5%	2.7%
Mercedes	2,774	3,504	26%	2.9%	3.6%
MINI	260	286	10%	0.3%	0.3%
Mitsubishi	98	118	20%	0.1%	0.1%
Nissan	3,340	3,396	2%	3.5%	3.5%
Polestar	153	82	-46%	0.2%	0.1%
Porsche	696	792	14%	0.7%	0.8%
Ram	811	778	-4%	0.8%	0.8%
Rivian	806	807	0%	0.8%	0.8%
Subaru	3,267	3,352	3%	3.4%	3.4%
Tesla	12,810	9,839	-23%	13.3%	10.0%
Toyota	16,999	18,948	11%	17.7%	19.3%
Volkswagen	2,234	1,820	-19%	2.3%	1.8%
Volvo	723	773	7%	0.8%	0.8%
Other	618	455	-26%	0.6%	0.5%

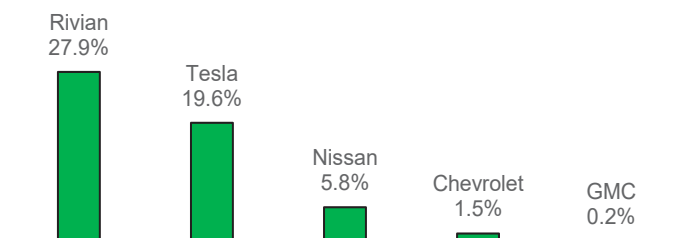
Top ten ranked brands in each percent change category are shaded gray. Data sourced from Experian Automotive.

**County Market Share for
Top 15 Selling Brands
YTD '25 thru August vs. Year Earlier**



Brands On the Move

**Largest % increase in registrations
during past 3 months (Jun '25 thru Aug '25) vs.
preceding 3 months (Mar '25 thru May '25)
Among top 20 selling brands in past three months**



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