

# BULLETIN COLORADO AUTOMOBILE DEALERS ASSOCIATION

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June 2025 | Bulletin



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**Jeff Taylor** Chairman of the Board

#### **No News is Good News**

As we move into the heart of summer, I want to share a brief reflection that might resonate with many of you: sometimes, no news is good news.

It was not that long ago we couldn't get out of the way of the Federal Trade Commission, Environmental Protection Agency, and the Biden Administration. Like a surfer in a rip tide, as soon as you surface from one wave, the next is already on top of you. From legislative proposals and regulatory changes to labor issues, supply chain disruptions, and tariffs, it's in these moments where the Association's value is crystal clear to us.

But every once in a while, we encounter a stretch like this summer—where the headlines are few, the legislative calendar is slow, and industry drives the news cycle. These moments, where we can refocus on our shops, our manufacturers, and our consumers, are welcomed breaks.

Periods of relative quiet offer something increasingly rare: stability. Stability allows businesses to operate without sudden pivots. It allows employees to focus on doing their jobs well. And it gives your association time to plan, build relationships, and prepare for what's next, rather than constantly reacting to what's now. In these times, CADA will be looking at where to invest in its future. Planning for the next big fight now will give us that much of a head start when it is time to go. We only ask you to remember the Association in the quiet times. What are the things that are bothering you now? Hindering your bottom line? Creating headaches for your management? Are these things policy problems that the Association can fix? Helping set the agenda can push your priorities to the top of the list.

That said, this calm won't last forever. Washington will return from recess. State legislatures will reconvene. Global markets will shift. Please help us prepare before that time comes.

So if you've noticed fewer alerts in your inbox or less urgency in your news feeds, take a breath. It's not neglect. It's a welcome pause. Enjoy your summers, your families, and your 20 groups. In an industry where we often equate action with progress, let's not forget that stability is also a sign of health.

Enjoy the season and thank you for your continued engagement and support.

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#### FTC Safeguards: FAQs

16, 2025, the Federal On June Trade Commission (FTC) released a set of Frequently Questions (FAQs) to clarify Asked the requirements for the Gramm-Leach-Bliley Act (GLBA) Safequards Rule, specifically with a focus on motor vehicle dealers. This is the first set of FAOs issued since the revised Safeguards rule that took effect in 2023, providing guidance to help dealers comply with data security obligations.

While the FAQs don't change the requirements of the FTC Safeguards Rule, which mandates that financial institutions- including most auto dealers - develop and maintain an all encompassing information security system. Key points include designating a qualified individual to oversee the program, implementing access controls, encrypting customer information, and reporting any data breaches involving 500 or more customers to the FTC within 30 days. The FAOs also address specific scenarios, such as whether sharing customer information with the OEM for recall notices makes them a service provider (it does not, unless they provide services), and clarify that dealers must conduct risk assessments and ensure third-party providers have adequate safeguards.

CADA has always encouraged dealers to seek third-party assistance with GLB compliance due to the technical nature of the rule and the severity of the fines for noncompliance. To this end, CADA has endorsed ComplyAuto for its GLB compliance function. They have developed a self-contained very user-friendly compliance system that can help you easily navigate all of the aspects of the rule. They have also retained two long-time NADA staffers for substantive experience.

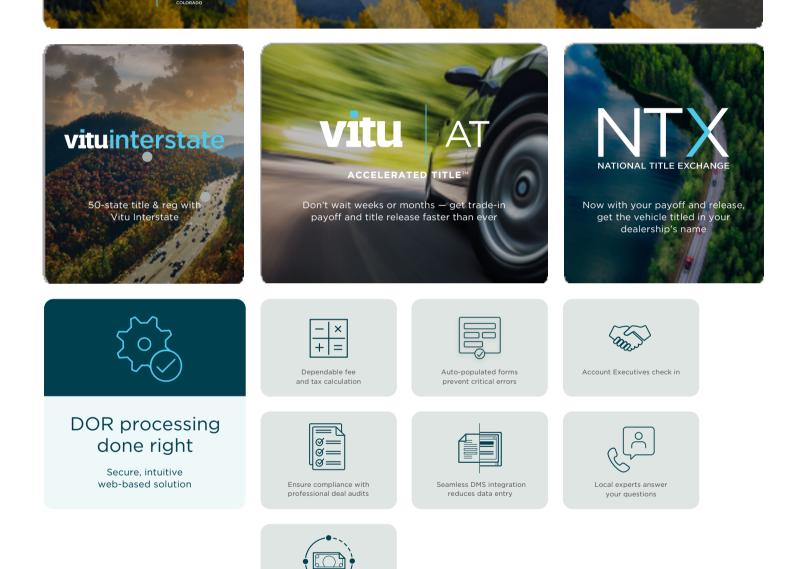
You've heard CADA discuss the Safeguards Rule consistently across the last 24 months. It falls the FTC's jurisdiction, under making compliance critical to avoid penalties and for the protection of customer data. These FAOs help dealers understand their obligations, streamline compliance efforts, and reduce the risk of costly data security problems, especially in the age of increasing cyber threats. However, as it pertains to Colorado, compliance with the entirety of GLB, exempts you from several state privacy laws that come with additional regulatory actions and fines.



If you need assistance finding a vendor for Safeguards protection or have general questions about what GLB requires of dealers, please contact our President Matthew Groves (matthew.groves@colorado.auto) or Lauren Bailey, Vice President & Senior Counsel with ComplyAuto (lauren.bailey@complyauto.net).



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#### The Pendulum Swings Right: Federal Regulatory Shift Takes Shape

As the new political authorities establish themselves in the intense heat of a DC summer, June offered a clear signal that this Administration is taking its foot off the necks of the business community. This is not to say that we are no longer enforcing existing rules. Those of you who joined NADA's webinar with the Federal Trade Commission this week saw that this is far from true. But the rapid-fire cadence of regulations has slowed to a trickle as the President and the Congress rightsized the authority of the administrative agencies.

The most consequential development came on June 20, when the U.S. Supreme Court ruled that a coalition of energy producers, headed by Valero, have standing to challenge California's longstanding Clean Air Act waiver. That waiver, reinstated during the Biden administration, has allowed California to enforce stricter emissions standards than those set by the federal government. With the legal challenge now moving forward, the future of this twotiered emissions framework is in jeopardy. If the waiver is ultimately revoked, automakers may realign compliance efforts around the 'One long-advocated National Standard.' Incidentally, had this decision happened prior to CADA's lawsuits in 2019, our case would have been permitted to proceed under the same authority.

In parallel, the U.S. Senate advanced measures to roll back a separate EPA-created rule in the Corporate Average Fuel Economy (CAFE). This would eliminate or significantly reduce financial penalties imposed on manufacturers that do not meet fleet-wide fuel-efficiency targets first set by the Obama Administration. The move reflects growing industry and political pushback against what many view as an aggressive and inflexible regulatory regime. Automakers have long argued that CAFE penalties, particularly under the revised 2024 structure, imposed disproportionate costs on larger vehicles that are still in high consumer demand. Loosening enforcement could ease compliance costs for manufacturers, delay the pace of the EV transition, and preserve consumer access to a broader range of internal combustion vehicles-at least in the near term.

Conversely, the Federal Trade Commission released updated quidance under its Safeguards Rule in mid-June, reaffirming and data-security obligations for clarifying businesses engaged in consumer financing, including auto dealerships. The updated guidance reinforces requirements for written information security programs, internal risk assessments, employee training protocols,

vendor oversight, and rapid breach response plans. This is a warning shot to industry that consumer privacy is still a priority of this Administration. The FTC has taken two regulatory actions against dealerships who were found in violation of this standard.

Together, these developments reflect a broader realignment of federal priorities—one that departs from the climate- and consumerdriven agenda of the past few years and embraces a more industry-friendly posture. However, the regulatory landscape remains complex. Ongoing litigation, agency discretion, and potential changes in the 2026 election cycle all contribute to an atmosphere of uncertainty.

The National Automobile Dealers Association (NADA) has warmly welcomed the Trump administration's actions to reexamine "unrealistic" tailpipe emissions mandates that pushed for elevated EV adoption. In a March press release, NADA President and CEO Mike stated, "our current emissions Stanton regulatory framework is completely out of sync with consumer demand," urging regulatory levels "the market can actually bear". NADA has also actively lobbied NHTSA and EPA, filing extensive comments asserting that heavy EV mandates-without sufficient charging infrastructure or consumer uptake-would constrain vehicle choice, inflate costs, and strain inventory availability. The association views recent actions as a victory for dealers and consumers alike.

CADA will keep a close eye on federal developments—from emissions lawsuits to fuel economy rules and data privacy enforcement and we will keep you in the loop with updates as things unfold, so you can stay ahead of what's coming

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#### Spin More Deals: Selling Smarter Not Harder

#### **TRADE** PENDING

## Check out the most recent training







#### Fire Truck Parade & Muster

The 39th annual Fire Truck Parade & Muster in Littleton took place on June 14, and the Clear the Air Foundation supplied two cars for an extraction demonstration. Firefighters and EMTs reenacted an accident scene and used the jaws of life to pry open the roof and doors to demonstrate how they would rescue anyone stuck inside. It's always a fan favorite and the foundation is happy to support this event. As always, the vehicles are picked up and recycled after the event.



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# 2025 EVENTS CALENDAR

January - May	Colorado Legislative Session	
February 12	Q1 Board Meeting	
April 17-20	Colorado Auto Show - Industry Night	
June 11	Q2 Board Meeting	
June - August	Regional Meetings	
eptember 8-10	Project DC & Q3 Board Meeting	
October 8	Golf Event - Clear the Air Foundation	
November 13-14	Strategic Planning Retreat	
November 13	Colorado Automotive Hall of Fame	
December 10	Holiday Luncheon & Q4 Board Meeting	

More details will be provided about each of these events. For questions, please reach out to Margo Finer at margo@colorado.auto.

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# **CONTACT US**

#### **Colorado Automobile Dealers Association**

290 East Speer Blvd., Denver, CO 80203 | 303.831.1722 info@colorado.auto | www.colorado.auto



Matthew Groves CEO/President Email 303.282.1449



**Beth Weir** Vice President of Finance <u>Email</u> 303.457.5120



Mark Zeigler Clear the Air Foundation Director Email 303.457.5105



Dan Allison Director of Operations and Training <u>Email</u> 303.831.1722



Jackson Piggott Bill Barrow Fellow for Government Affairs Email 303.457.5106



**Caitlin Ming** Director of Insurance Services <u>Email</u> 303.457.5110



Margo Finer Director of External Affairs & Communications <u>Email</u> 3032821456



**Maegan Wilson-Kjellberg** Director of Member Services <u>Email</u> 303.457.5109



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