



Colorado Automobile Dealers Association

Another Sunday Attack

By CAR lobbyist Jeremy Cottrell

What has become so frequent and consistent in recent history was yet attempted again—a repeal of the longtime ban on Sunday vehicle sales was offered up by Rep. Paul Weissmann, D-Lafayette, during debate on the CADA priority Sunset Review bill.

An unpopular move, which Weissmann has made his signature issue over the past three years, has become an annual tradition within each legislative session. Four attempts two years ago, two attempts last year, and another two attempts this year have all led many within the industry to question the motivation behind the consistent and impassioned move.

Fortunately, we were able to anticipate this and organize opposition prior to its introduction. With a host of new freshman legislators, it was imperative that CADA convey our strongly-held beliefs and position regarding Sunday sales. We emphasized our position in three main sections.

- First, as a quality of lifestyle issue not only for dealers but the thousands employed within the industry throughout the state, we suggested the imperative nature of keeping closed on Sundays in order to maintain sufficient quality of workforce.
- Our second point is the simple law of economics—specifically, the number of automobiles sold in Colorado is a finite number. In states where Sunday sales are permitted there is no increase in sales to offset an increase in operating costs to business owners of between 12-14 percent. We further rebutted the anticipated argument that if the ban on Sunday sales were repealed, individual dealers could choose whether or not to remain open by countering with two points;
 - 1.) Being that competition would not allow some dealers to remain closed while others decided to open, and;
 - 2.) If the law were changed this would represent an anti-trust violation and would thus mandate dealerships to open for Sunday sales.
- Lastly, we pointed out the obvious notion that consumers enjoy quiet shopping of new cars without negotiating a purchase—Sundays are a perfect opportunity for consumers to shop without interruption or discussion.

These points were what we determined to be the most salient and persuasive points presented to the legislators. The responses were positive and prompt. Those legislators with whom we were unable to speak to directly had their aides contact us to explain their agreement of our position.

Another legislative session would not be complete without the typical attack on the ban on Sunday sales. Thankfully, each has been soundly defeated, thus allowing our member dealers a well-deserved short break each week.

Additionally, overall, we are extremely happy with the status of the Sunset Review Bill (SB-221) as it now stands, almost completely through the process. Of the 12 priority points within the Sunset Review, we have gained a complete or negotiated victory on each of them. Further, this update should be in place for the next 10 years. We feel this amount of time will give both the auto retail industry and the state DOR's Auto Industry Division ample time to operate and help dealers and consumers raise the standards for the Colorado auto retail industry.

Our appreciation of the Sunset Review process we have been through should not be stated without expressing gratitude to the many individuals who invested time, energy, and talent through one or more of the following grassroots tasks:

- Meeting with DORA officials to make industry recommendations
- Formulating the industry position on Sunset Review issues
- Meeting with DOR and Auto industry Division officials to communicate our positions
- Lobbying state legislators to advocate the position of the industry
- Testifying before legislative committee hearings
- Sending emails, faxes and making telephone calls or personal visits to legislators and state capitol office staff
- Participating in association meetings to discuss strategy and tactics

Without this level of member dealer support, certainly the final product our Sunset Review effort would not be in its most satisfactory condition.