



March 20, 2020

TO NMADA MEMBER DEALERS

NM Coronavirus Order Update

For your information, one of our dealer members was visited by the New Mexico State Police on March 20, 2020. He was told that his dealership is prohibited by the Governor's Health Department Order of March 19, 2020 from having more than 10 persons at the dealership.

Although NMADA believes this interpretation is probably incorrect, we should be mindful of the difficult job law enforcement has to do at times like this.

Importantly, the State Police Officer mentioned that service operations (as opposed to sales) are not subject to a 10-person limit because vehicle service is "essential," while sales is not (supposedly).

(Ask the customer whose car was just totaled, or whose lease just ended, whether replacing it is "essential" to them.)

I thought it was my responsibility to pass this development on to other dealers, after receiving permission to do so from the dealer in question.

So there is no misunderstanding, I am not directing dealers to take any specific action at this time. I don't know whether any other dealers will receive such a visit. I prefer to leave it to individual dealers and their advisors to decide what to do with this information.

The State Police Officer did seem to be primarily concerned about 10 persons (including employees) being in the same "connected" space at the same time.

Therefore, in case you are similarly visited by authorities, you might consider how you could satisfy a "**10-person within 'connected' space**" limit and still meet the needs of your sales customers.

In such case, you might consider whether to use something like the attached poster language to notify people of such a 10-person limit.

Of course, dealer personnel should avoid arguing with Police, should seek middle ground, and should display a spirit of good faith cooperation with the (actual) requirements of the Health Department Order of March 19, 2020.

Thank you,

Charles Henson
President NMADA