



March 19, 2020

TO NMADA MEMBER DEALERS

NM Coronavirus Order Update

This update is to help dealers understand the Governor's Health Department Order dated March 19, 2020 (the "Order," a draft of which is attached), which imposes new restrictions on business activity in an effort to minimize the spread of Coronavirus disease ("Covid19") in New Mexico. This information is not meant as legal advice.

Key Points:

1. Fortunately, the draft Order does not (yet) single out auto dealerships.
2. The Order does single out some industries, such as restaurants, hotels or health clubs.
3. Fortunately, the Order is not (yet) a "shelter in place" order like that in some other States.
4. The Order requires that "Typical Business Environments" (which includes auto dealerships) limit operations and enforce social-distancing "to the greatest extent possible" in order to minimize virus exposure between possibly infected and non-infected persons.
5. Dealers should therefore implement (and document the implementation of) good faith limitations of their operations and changes in the way they conduct business, in response to the Order.
6. This may help prevent our industry from being singled out for stricter regulation in the future, as well as mitigate the spread of Covid19 among customers and employees.

Some new measures to consider implementing while the Order remains in effect include:

- A. Consider reducing or modifying business hours. (This could be highly symbolic to government officials, especially in Sales Departments.)
- B. Generally, congregations of 10 or more people together should not happen.
- C. Increase seating separation between customers in waiting areas.
- D. Limit advertising and promotions which may result in congregations of customers.
- E. Discontinue use of lunch rooms/break rooms.
- F. Limit meetings where employees must congregate and discontinue meetings in confined areas.



G. Carefully manage or discontinue use of common lunch rooms/break rooms.

H. Reduce staffing in proportion to reduced business traffic.

Of course, this list is not exhaustive. You should analyze your own operations for more opportunities to maintain “social distancing.” This new Order is in addition to the other precautions already mandated or encouraged by other previous City, State and Federal guidance, such as:

- Employees who are sick, or who have been exposed to those who are sick, should stay home.
- Employees should be allowed to work from home where reasonably possible.
- Frequent handwashing should be a requirement of everyone. Guidance on effective handwashing should be posted. Handwashing materials should be plentiful.
- Other gestures/greetings should be encouraged in place of handshaking/hugs.
- Personnel should maintain a reasonable distance from customers, on the order of 4+ feet wherever possible.
- High touch surfaces in common areas should be disinfected several times daily, such as countertops, door knobs, door handles, light switches and touch screens or keyboards used by more than one person.
- High touch surfaces in test drive autos (such as steering wheels, shifters and controls) should be disinfected between each use.
- Similar disinfection in Customer service vehicles before their return.
- Education about disinfecting solutions and their proper use.
- Trash should be hygienically bagged and frequently disposed of.

Thank you,

Charles Henson
President NMADA