

Legislative News

Walz Budget Produces Sticker Shock

On February 19, Governor Tim Walz (D) performed the most significant act of his term so far when he released his first budget proposal. The governor is recommending a \$49.5 billion budget for the next two-year budget cycle. The current state budget that is set to expire on July 1 is \$45.5 billion.

The governor highlighted three major areas of focus in his budget announcement – education, health care, and community prosperity - in which significant new investments are made. The bulk of the increased spending supports education, with Walz proposing \$733 million in additional pre-K through grade 12 education funding over the next two years and \$158 million in funding to support Minnesota’s higher education system, including \$62 million in grants to students.

Major Tax Increases on Motor Vehicle Sales

The third pillar of Walz’s budget, ‘community prosperity,’ encompasses investments in state infrastructure. Beyond general fund spending for affordable housing and broadband, Walz is proposing raising transportation taxes to generate \$1.9 billion more for roads and transit over the next two years. While much of the focus has been on a 20-cent per gallon fuel tax increase as part of the plan, Walz is also proposing significant increases in tab fees and the motor vehicle sales tax.

Under his plan, Walz increases the base registration tax from \$10 to \$45 and the rate from 1.25% the value of the vehicle to 1.5%. He’s also slowing the depreciation schedule, so tab fees will cost more during the first five years of vehicle ownership. For MVST, he’s increasing the rate from 6.5% to 6.875%. Minnesota already has the highest rates for registration and vehicle sales taxes in the upper Midwest. These proposed changes will further exacerbate the disparity and increase the price of vehicle sales. For example, a
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NADA Workforce Study

upcoming events

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West St. Paul
- apr 16** Service Advisor 101
West St. Paul
- apr 17** Leadership for Service Managers
West St. Paul
- apr 18** Putting Emotional Intelligence to Work
West St. Paul

visit
www.mada.org
for details, registration and
a complete list of Upcoming
Events and Training

Legal News

BBB Conditional Pricing

BBB has noted a recent spike in competitor complaints about violations of the MADA Conditional Pricing standard and is actively working with individual dealers to address issues.

Several of these complaints relate to inclusion of manufacturer finance bonus in an advertised price, and violations of disclosure requirements laid out in the Conditional Pricing standard.

BBB reminds dealers that:

- It is ONLY acceptable to build manufacturer finance bonus into the prominent price, payment, or discount when: a) Bonus amount is “broken out” from other, non-conditional rebates, and b) Requirement to finance and an available APR are “clearly and conspicuously disclosed in immediate conjunction” with the prominent price. (e.g., “Includes \$1,000 Ford Finance Cash. Must finance with Ford Motor Credit. APR as low as 2.99% on approved credit.”)
- This disclosure requirement applies not just to incentives termed “finance cash,” “finance bonus,” and the like, but any incentive requiring manufacturer financing. (e.g., Chevy’s “GM Financial Down Payment Assist.”)
- If the format/layout of a website does not allow the disclosure above to be in “immediate conjunction” with the prominent price, then the price pushed to that site should NOT include manufacturer finance bonus. For example, if a third-party listing site (e.g., CarSoup) does not allow disclosure in “immediate conjunction” to the prominent price on the search results page, the dealer should be pushing the price WITHOUT the finance bonus built in.
- BBB is aware that many manufacturers do not do this in their own national advertising. (e.g., “Get \$13,000 off MSRP when you finance with GM Financial,” where the actual amount of the finance bonus is not broken out.) In these situations, Minnesota dealers

should modify manufacturer disclosures and graphic elements to adhere to Minnesota’s Conditional Pricing standard. (e.g., “Get \$13,000 off MSRP...” and then disclaimer “Includes \$1,500 GM Finance Cash. Must finance with...APR as low as...” etc.)

BBB is constantly reviewing and re-checking dealer websites and other advertising. Dealers found not in compliance with the Minnesota Auto Advertising Standards will be asked to modify or discontinue the advertising, and will be subject to MADA’s ‘Three Strikes’ policy if they decline to make requested changes or fail to do so within timeframes approved by MADA Steering Committee.

Additional questions or concerns may be directed to Steve Farr, BBB Auto Industry Liaison, at 651-695-2430 or steve.farr@thefirstbbb.org.



Minnesota Automobile Dealers Association

The Minnesota Automobile Dealers Association is a non-profit trade association dedicated to the progress of the retail auto industry in Minnesota.

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Peter Kolar, Kolar Toyota, Duluth

Vice Chair

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Secretary

Tom Leoard, Fury Auto Group, South St. Paul

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200 Lothenbach Avenue • West St. Paul, MN 55118
Metro: 651-291-2400 • Toll Free: 800-652-9029
FAX: 651-291-2894 • Web site: <http://www.mada.org>

MADA News

MADA 2019 Yearbook Corrections

MADA would like to make recipients of the *2019 Yearbook* aware of the following corrections:

On page 5, MADA Board Member Barb Hilbert's company was incorrectly listed. She works with the Luther Automotive Group.

On page 9, MADA's Dan Louismet's title was not updated to reflect his current position as MADA General Counsel.

On page 73, our long-time endorsed vendor Al Johnson's e-mail is incorrect. He can be reached at ensureagency@yahoo.com.

We apologize for the inconvenience any errant listings may have caused. Please note these corrections in your directory, and contact Ruth Goolsby at (651) 789-2930 or ruth@mada.org if there are changes of which we should be aware.



MADA Services Welcomes New Staff

MADA Services is pleased to welcome Kyle VanSickle to our sales team. He joins us after having spent the past two and a half years with Cars.com.

Kyle will be selling MADA's endorsed internet marketing programs - Pure Influencer, Purple Cloud, Conversica, and LotLinX - to the dealers in Minnesota.

Kyle grew up in Park Rapids, Minnesota and now resides in Apple Valley. His wife Kristin and he have three young boys: Liam, Zander, and Soren. Kyle is also a volunteer firefighter in Apple Valley and enjoys family time, coaching his boys and hunting.

visit us online at
www.mada.org

Legal News

Phony Dealer Websites

The Better Business Bureau of Minnesota and North Dakota (BBB) urges consumers shopping for a vehicle online to be cautious of bogus auto dealer websites. Likewise, dealers should be on the lookout for bogus ads driving customers to bogus sites pretending to be the dealer's legitimate website.

This new scam typically starts with a vehicle listing on Craigslist. Potential customers communicate with the "dealer" by e-mail or text listed on the Craigslist ad and then are referred to a bogus, but convincing-looking, website for additional vehicle information. The customer then wires a deposit to hold the vehicle. Once the money has been wired, the scammers cut off all communication, and the customer receives nothing.

These fraudulent sites are convincing to consumers because the scammers behind it use the name of a legitimate and licensed auto dealer. While an auto dealer cannot stop a customer that it has no relationship with from being defrauded, they can be on the lookout for ads and fake websites posing as a legitimate dealer.

In a time where every new car dealer has an online presence, and every dealer is hyper aware of their own, and their competitors, online activity, dealers themselves are well positioned to spot these scams early and do something about it.

If you see this kind of activity occurring, please report it to the BBB of Minnesota and North Dakota at www.bbb.org/scamtracker/us or (651) 699-1111.

Reported registrations at the end of 2017 appear to be negatively impacted by implementation of the state's new vehicle titling and registrations system (MNLARS). This has likely resulted in underreporting of registrations during these months and has led to declines in year-over-year new vehicle registrations. Future data updates released by IHS Markit should address the apparent shortfall in reported registrations.

Minnesota Auto Outlook

Released by:
**Minnesota Automobile
Dealers Association**

Covering the Minnesota automotive market

Data thru January 2019

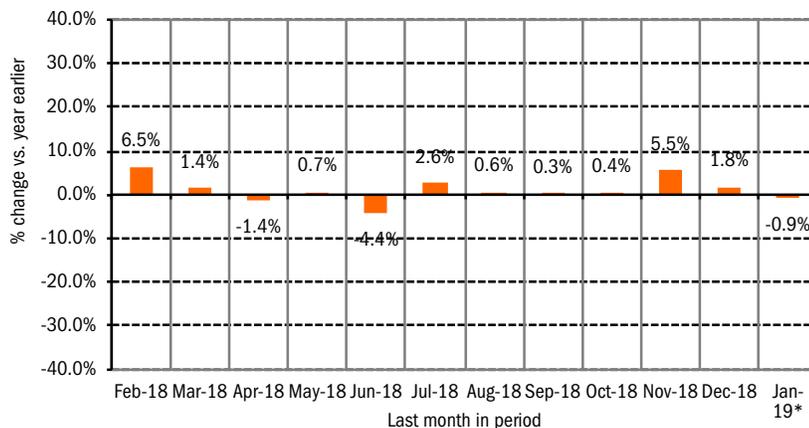
Minnesota New Retail Car and Light Truck Registrations

	Most Recent Two Months*			Annual Totals			Annual Market Share		
	12/17 & 1/18	12/18 & 1/19	% change	2017	2018	% change	2017	2018	change
Industry Total	35,608	32,521	-8.7%	215,746	215,029	-0.3%			
Cars	7,135	5,686	-20.3%	53,529	41,500	-22.5%	24.8	19.3	-5.5
Light Trucks	28,473	26,835	-5.8%	162,217	173,529	7.0%	75.2	80.7	5.5
Japanese Brands	11,902	10,814	-9.1%	76,427	74,694	-2.3%	35.4	34.7	-0.7
Honda	3,329	3,066	-7.9%	21,008	20,500	-2.4%	9.7	9.5	-0.2
Nissan	1,614	1,365	-15.4%	10,664	9,304	-12.8%	4.9	4.3	-0.6
Toyota	4,027	3,432	-14.8%	26,399	24,968	-5.4%	12.2	11.6	-0.6
Other	2,932	2,951	0.6%	18,356	19,922	8.5%	8.5	9.3	0.8
Domestic Brands	19,392	18,004	-7.2%	113,141	113,897	0.7%	52.4	53.0	0.6
FCA (excl. FIAT)	4,844	4,642	-4.2%	29,043	31,549	8.6%	13.5	14.7	1.2
Ford	5,502	5,085	-7.6%	34,402	32,919	-4.3%	15.9	15.3	-0.6
General Motors	8,973	7,789	-13.2%	49,239	47,896	-2.7%	22.8	22.3	-0.5
Other	73	488	568.5%	457	1,533	235.4%	0.2	0.7	0.5
European Brands	2,450	2,118	-13.6%	13,379	13,869	3.7%	6.2	6.4	0.2
BMW	549	452	-17.7%	2,846	2,680	-5.8%	1.3	1.2	-0.1
Mercedes	362	290	-19.9%	2,116	1,887	-10.8%	1.0	0.9	-0.1
Volkswagen	1,178	1,074	-8.8%	6,426	6,958	8.3%	3.0	3.2	0.2
Other	361	302	-16.3%	1,991	2,344	17.7%	0.9	1.1	0.2
Korean Brands	1,864	1,585	-15.0%	12,799	12,569	-1.8%	5.9	5.8	-0.1

Brands included above: Domestic Brands: GM (Buick, Cadillac, Chevrolet, and GMC), Ford (Ford and Lincoln), Chrysler (Chrysler, Dodge, Jeep, and Ram). Japanese: Toyota (Toyota, Lexus, and Scion), Honda (Honda and Acura), Nissan (Nissan and Infiniti), Other (Mazda, Mitsubishi, and Subaru). European: VW (Audi, Bentley, Porsche, and Volkswagen), BMW (BMW, Rolls Royce, and MINI), MB (Mercedes Benz and smart), Other (Alfa Romeo, Aston Martin, Ferrari, Fiat, Jaguar, Land Rover, Lotus, Maserati, and Volvo). Korean: Hyundai and Kia.

*Figures for January 2019 were estimated by Auto Outlook. Data Source: IHS Markit.

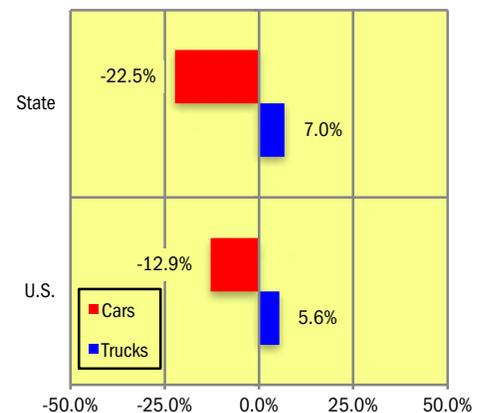
Percent Change in Three Month Moving Average of New Retail Registrations versus Same Period Year Earlier



The graph above provides a clear picture of the trending direction of the state market. It shows the year-over-year percent change in the three month moving average of new retail light vehicle registrations. The three month moving average is less erratic than monthly registrations, which can fluctuate due to such factors as the timing of manufacturer incentive programs, weather and title processing delays by governmental agencies.

*Figures for January 2019 were estimated by Auto Outlook. Data Source: IHS Markit.

Percent Change in State and U.S. New Retail Light Vehicle Markets 2018 vs. 2017



The graph above compares the change in new retail car and light truck registrations in both the state and U.S. markets. Data Source: IHS Markit.

Data Information

All data represents new vehicle retail registrations in Minnesota and excludes fleet and wholesale transactions. Reported registrations at the end of 2017 appear to be negatively impacted by implementation of the state's new vehicle titling and registrations system (MNLARS). This has likely resulted in under-reporting of registrations during these months and has led to declines in year-over-year new vehicle registrations. Future data updates released by IHS Markit should address the apparent shortfall in reported registrations. Data Source: IHS Markit.

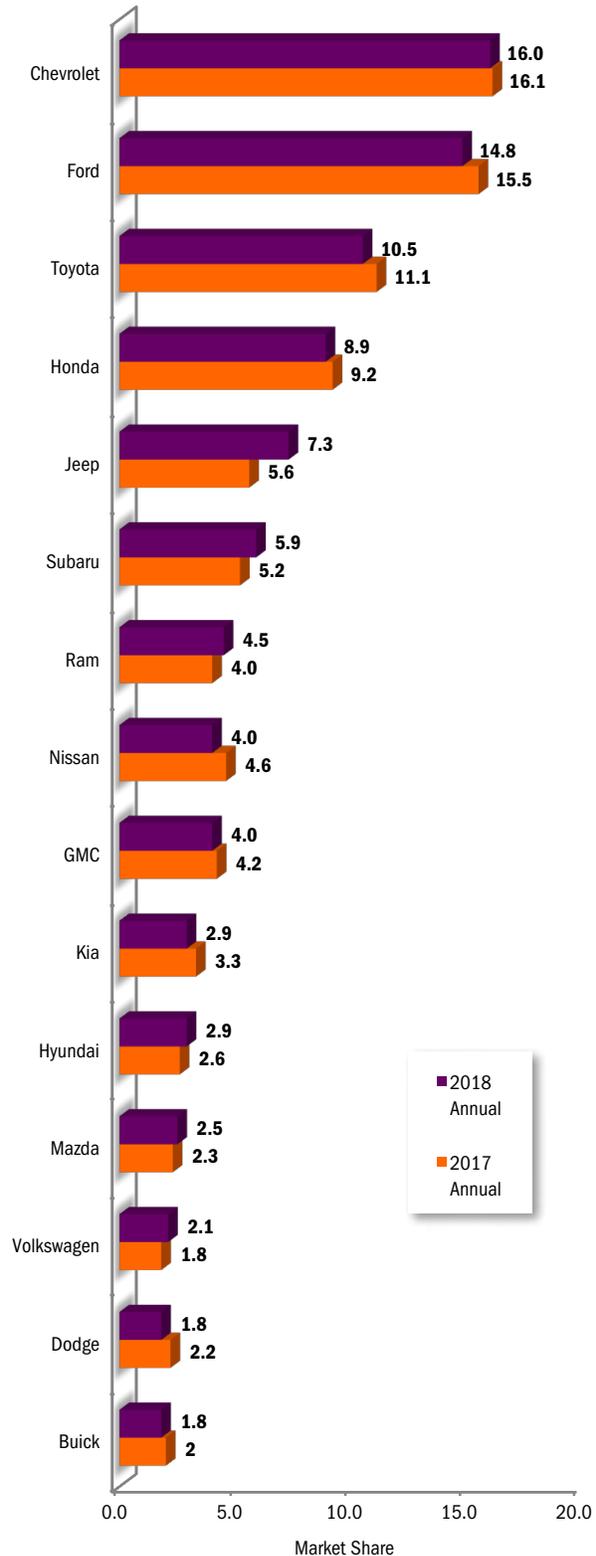
Minnesota New Retail Light Vehicle Registrations					
	Registrations			Market share	
	2017	2018	% change	2017	2018
	Annual	Annual		Annual	Annual
TOTAL	215,746	215,029	0%		
Acura	1,259	1,417	13%	0.6%	0.7%
Alfa Romeo	86	197	129%	0.0%	0.1%
Audi	2,139	2,104	-2%	1.0%	1.0%
BMW	2,418	2,291	-5%	1.1%	1.1%
Buick	4,349	3,801	-13%	2.0%	1.8%
Cadillac	1,148	1,150	0%	0.5%	0.5%
Chevrolet	34,680	34,303	-1%	16.1%	16.0%
Chrysler	3,620	2,218	-39%	1.7%	1.0%
Dodge	4,788	3,939	-18%	2.2%	1.8%
FIAT	181	131	-28%	0.1%	0.1%
Ford	33,343	31,883	-4%	15.5%	14.8%
Genesis	131	88	-33%	0.1%	0.0%
GMC	9,062	8,642	-5%	4.2%	4.0%
Honda	19,749	19,083	-3%	9.2%	8.9%
Hyundai	5,630	6,192	10%	2.6%	2.9%
Infiniti	809	798	-1%	0.4%	0.4%
Jaguar	228	191	-16%	0.1%	0.1%
Jeep	12,081	15,763	30%	5.6%	7.3%
Kia	7,038	6,289	-11%	3.3%	2.9%
Land Rover	415	505	22%	0.2%	0.2%
Lexus	2,428	2,310	-5%	1.1%	1.1%
Lincoln	1,059	1,036	-2%	0.5%	0.5%
Maserati	68	57	-16%	0.0%	0.0%
Mazda	5,019	5,326	6%	2.3%	2.5%
Mercedes	2,101	1,886	-10%	1.0%	0.9%
MINI	428	386	-10%	0.2%	0.2%
Mitsubishi	2,183	2,006	-8%	1.0%	0.9%
Nissan	9,855	8,506	-14%	4.6%	4.0%
Other	96	67	-30%	0.0%	0.0%
Porsche	342	366	7%	0.2%	0.2%
Ram	8,554	9,629	13%	4.0%	4.5%
Subaru	11,146	12,586	13%	5.2%	5.9%
Tesla	437	1,514	246%	0.2%	0.7%
Toyota	23,971	22,658	-5%	11.1%	10.5%
Volkswagen	3,945	4,488	14%	1.8%	2.1%
Volvo	960	1,223	27%	0.4%	0.6%

Top ten ranked brands in each percent change category are shaded green.
Data Source: IHS Markit.

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State Market Share for Top 15 Selling Brands
2018 vs. 2017



Data Source: IHS Markit.

NADA News

NADA Dealer Workforce Study

NADA would like to remind all Minnesota car and truck dealers to participate in the 2019 NADA Dealer Workforce Study, one of the largest workforce studies in the automotive industry. NADA is proud to provide this annual report, so both car and truck dealers can ultimately use it to fine-tune employee compensation and benefits, promote retention, and stay ahead of the demographic curve.

Based on dealer feedback, the 2019 survey has been reworked to obtain more insight into compensation plans for variable operations positions. This will only further assist participants and users of the study in their decision making with regards to pay structure.

In exchange for participating, all NADA-member respondents will receive:

- a complimentary custom report for their store comparing it to a peer group;
- a complimentary copy of the 2019 National & Regional Trends in Compensation, Retention and Benefits Report; and,
- access to the NADA Database Search tool with data from all NADA workforce studies.

Enroll now at www.nadaworkforcestudy.com. Deadline to submit data and survey questions is May 15, 2019.

Legislative News



MNLARS Deficiency Spending Approved; Deputy Registrars Await Help

On March 5, Governor Tim Walz signed 2019 Session Law Chapter 1 which appropriates \$5.7 million for MNLARS development, technology costs, contracts, contractors, business analysts, and user acceptance testers. Without this infusion of cash, the state did not have enough money to maintain or fix the system through the balance of this fiscal year.

Senate Transportation Chair Scott Newman (R-Hutchison) also worked behind the scenes with Governor Walz to include language to have an independent evaluation review whether the state can fix and finish MNLARS as it is currently designed. By May 1, 2019, the chair of the Governor's Blue Ribbon Council on Information must provide an expert opinion on several aspects of MNLARS, including whether the Department of Public Safety and MN.IT have the necessary technology and software to correct

all MNLARS defects and gaps or whether they should adopt a commercial off-the-shelf software solution or outsourced service to do so.

While Minnesota's Deputy Registrars have borne the brunt of the failed MNLARS system since its launch in 2017, they've received no help from the state to offset the significant financial losses they've incurred. Last session, \$14 million to reimburse the Deputy Registrars passed the Legislature but was vetoed by then Governor Mark Dayton (DFL).

The Senate is now working to fast-track a Deputy Registrar compensation bill, Senate File 621, that includes \$13 million to help reimburse both public and private Deputy Registrars for their losses. MADA is encouraging the House to act just as quickly.

Member News

Village Automotive Groups three metro stores were recently purchased by Chicago-based **Ed Napleton Automotive Group**. **Lexus of Wayzata** and **Lexus of Maplewood** are retaining their names while **Village Chevrolet** will now be known as **Chevrolet of Wayzata**.

Richfield Bloomington Mitsubishi is now closed. The facility is now dedicated as a Honda recon center and BMW Motorcycle sales and service point.

Walz Budget... *continued from cover*

customer buying a vehicle for \$35,249 (the 2018 national average) would pay an additional \$201.50 in taxes during the first year of ownership under Walz's proposal.

MADA will be working tirelessly to defeat these increases, especially at a time when the new vehicle market is softening. We will be calling on MADA members to weigh in with lawmakers, who ultimately will be deciding these issues, when the time is appropriate. Stay tuned...

MADA Vendor Viewpoint Get What You're Due

Warranty reimbursement at retail rates for parts and labor can help a dealership realize \$10,000 to \$15,000 in monthly profits and often hundreds of thousands annually. Applying to receive retail warranty reimbursement from your manufacturer is a legal process allowed under Minnesota state law. With the help of experienced legal counsel, you can enhance your bottom line by submitting a comprehensive application to your manufacturer.

In 2018, Minnesota's warranty reimbursement statute was amended to ensure the manufacturers meet their financial obligations to their franchisees. However, many Minnesota dealers have not yet exercised their right under the new Minnesota law. While some dealers are hesitant to submit to their factory out of a fear of retaliation, Minnesota law prohibits retaliation in connection with a dealer's submission to receive retail reimbursement. In the event the factory attempts to reject your submission or retaliate in any manner, it is important to have experienced legal counsel who are familiar with your rights under Minnesota law.

Contributed by Joseph F. Gentile, Esquire, Bellavia Blatt, PC



Endorsed Service & Vendors

Check Guarantee/Credit Card Processing
FIS / Certegy

Dealer Bond Program
Ensure Agency

Disability Income Insurance & Section 125 Cafeteria Plans
American Fidelity Assurance

Employee Placement
Hireology

F&I Products
Protective

Fleet Fueling Program
Speedway

Garagekeeper's Insurance
Arthur Gallagher

Group Health Insurance
Blue Cross Blue Shield of MN
Delta Dental
Voya Life

Hole-In-One Insurance
Hole-In-One-USA

Office Supplies
Innovative Office Solutions

Online Marketing Services
Conversica
Dealer 1-2-1
LotLinx
PureInfluencer
Purple Cloud

OSHA, EPA & DOT Compliance/Training
ComplyNet Corporation

Pre-Paid Legal, Jim Gavin
Identity Theft Shield &
Pre-Paid Legal Services

Uniforms and Linen Services
AmeriPride Linen & Apparel Services

Warranty Reimbursement
Bellavia Blatt

Workers Compensation
Ensure Agency



MADA Services sells a wide variety of products directly to the dealers including business forms, clothing and promotional items. For a full review of options, contact your sales representative at 651-291-2400 or go to www.mada.org



MADA NEWS ▪ MARCH 2019

FAQ

Q: We are ready to publish an advertisement but are not sure if it complies with the Minnesota Automotive Advertising Standards. Is there anyone that could review the ad prior to print to insure we are compliant?

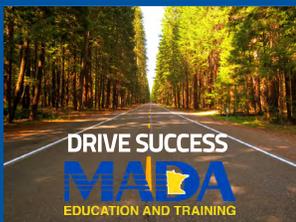
A: Yes. The BBB provides a Prior to Publication Ad Review Service where advertisements sent to BBB before print or broadcast are reviewed for compliance with industry standards. BBB usually works with the General Manager, Dealer Principle, or the dealership's ad agency representative. If you would like to take advantage of this service, please contact Steve Farr, Auto Industry Liaison for the BBB, at 651-695-2430 or steve.farr@thefirstbbb.org.



Upcoming Classes Register Today!

Register online at www.mada.org/training
OR contact Alice Morse alice@mada.org

Title Basics	Class Options	Date	Location
	West St. Paul 9:30 a.m. - 11:30 a.m. \$199 per person	April 9, 2019	MADA Headquarters 200 Lothenbach Ave West St. Paul, MN 55118
Service Advisor 101	Class Options	Date	Location
	West St. Paul 10:00 a.m. - 3:00 p.m. \$199 per person - lunch included	April 16, 2019	MADA Headquarters 200 Lothenbach Ave West St. Paul, MN 55118
Leadership for Service Managers	Class Options	Date	Location
	West St. Paul 9:00 a.m. - 4:00 p.m. \$209 per person - lunch included	April 17, 2019	MADA Headquarters 200 Lothenbach Ave West St. Paul, MN 55118
Putting Emotional Intelligence to Work	Class Options	Date	Location
	West St. Paul 9:00 a.m. - 11:00 a.m. \$199 for first registrant, \$179 for additional registrants from the same rooftop	April 18, 2019	MADA Headquarters 200 Lothenbach Ave West St. Paul, MN 55118
Dealership Customer Experience for Sales	Class Options	Date	Location
	West St. Paul 10:00 a.m. - 2:00 p.m. \$199 per person - lunch included	May 15, 2019	MADA Headquarters 200 Lothenbach Ave West St. Paul, MN 55118
The Certified Title & Registration Program	Class Options	Date	Location MADA Headquarters 200 Lothenbach Ave West St. Paul, MN 55118 *\$387 for all classes - lunch included
	Sales Tax 9:00 a.m. - 10:00 a.m. \$129*	May 16, 2019	
	New to Fleet 10:30 a.m. - 12:30 p.m. \$129*	May 16, 2019	
	Minnesota Titles and Transfers 1:00 p.m. - 3:00 p.m. \$129*	May 16, 2019	



When you utilize MADA Education and training, you are investing in your dealership's success AND your industry's success!

We offer trusted, comprehensive, and topical educational opportunities that serve to improve dealership operations. Each course is designed to provide solutions and empower your staff to successfully manage the evolving situations that your dealership faces.

The revenue generated from MADA's training program is reallocated to legislative efforts at the Capitol, your legal counsel, and to fund the activities that strengthen our representation of YOU!

LEADERSHIP FOR SERVICE MANAGERS



This one-day workshop is designed to help current and future dealership leaders improve their skills in understanding the dynamics of personality types, instituting effective hiring practices and on-boarding processes, and motivating team members.

Participants will learn how to:

- Understand and apply the PI behavioral assessment to identify how your organization can address key business issues and challenges
- Make better hiring decisions using behavioral interview techniques
- Develop a proactive on-boarding strategy
- Coach and motivate staff

REGISTER TODAY!
WWW.MADA.ORG

For more information contact Alice Morse
alice@mada.org OR 651-789-2956

**WEDNESDAY,
APRIL 17**

9:00 a.m. - 4:00 p.m.

MADA

200 Lothenbach Ave.
West St. Paul, MN 55118

Meet the Experts



David Kelly, *Automotive Development Group*

David is an accomplished sales executive offering 30 years of experience in sales and sales management. David is successful in leveraging customer and marketplace trends to shape custom strategies designed to grow sales volume, market share, and profits. He has a proven history of developing high performing teams and building strong bottom line results.



Dan Hahn, *Automotive Development Group*

Dan joined ADG in 2014 as a Fixed Operations Training and was instrumental in positioning ADG as an Industry Leader in training and income development for automotive dealerships. Dan brings with him over 25 years of experience in the automotive industry, of which twenty were spent in retail. From the technician's stall, to the service drive and office, his experience allows him to implement customized solutions and drive sustainable results.

INVEST IN YOU. INVEST IN YOUR BUSINESS. INVEST IN SUCCESS.

MADA
EDUCATION AND TRAINING