



April 1, 2021

Mr. Ramesh Devaraj  
Vice President, Global Transaction Processing And Merchant Policy  
American Express Company  
200 Vesey Street  
New York, NY 10285

Dear Mr. Devaraj,

Our associations write you today concerning fuel retailers' ability to meet the upcoming EMV liability shift deadline for automated fuel dispensers (AFD). While fuel retailers have been working around the clock to be fully EMV compliant by the mid-April 2021 deadline, thousands are unlikely to meet the deadline due to the ongoing COVID-19 pandemic and several other factors. Therefore, we respectfully request that the card networks extend the liability shift deadline for one final time through October 2021 to ensure fuel retailers have time to fully comply.

As you are aware, the past year presented significant challenges for fuel retailers especially small business fuel retailers. The COVID-19 vaccine rollout is still ongoing as less than 20 percent of Americans have been fully vaccinated. Even prior to COVID-19, small business retailers were confronted with challenges in acquiring hardware, certified software and a shortage in available technicians for installation. The COVID-19 pandemic as well as severe winter storms in much of the US have made the situation worse.

Our associations have heard from small business fuel retailers across the country that major equipment and service providers are booked through this summer for EMV projects. For example, Arkansas retailers are experiencing a six-to-ten-week lead time for EMV equipment to arrive plus another two to three weeks for installation. In some cases, fuel retailers are experiencing longer delays in AFD installations due to limitations on installation crews associated with COVID-19 compliance protocols. Quality assurance and certification testing for the various software configurations, required before EMV roll-out, will be further delayed as a result of these protocols being implemented at many companies. Some point-of-sale vendors still do not have software available to implement EMV. Rural small business retailers are also experiencing delays due to lack of technicians and equipment.

We applaud you for acknowledging the issues retailers were facing last year and granting the six-month deadline delay. Fuel retailers take the EMV deadline very seriously and we expect that the vast majority of them will be fully EMV compliant by the end of this year. Therefore, we respectfully request that you delay the AFD liability shift deadline one final time through October 2021 to ensure that all fuel retailers, large and small, can be fully compliant.

Sincerely,

Energy Marketers of America  
National Association of Convenience Stores  
National Association of Truck Stop Operators  
Society of Independent Gasoline Marketers of America