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NOTE: We make every effort to ensure information in *Dealer Talk* is accurate, but it is not a substitute for legal advice.

Motor Vehicle Dealer Board Mission Statement

The Motor Vehicle Dealer Board will administer sections of the Commonwealth's Motor Vehicle Dealer Laws and regulations as charged; while providing a high level of customer service for the automotive consumer and dealer community.

In This Issue

Indep. D-O Recert.	. . .	pg 1
PoD Deadline May 1	. . .	pg 3
Did You Watch MVDB on the Web?	. . .	pg 4
Board Actions	. . .	pg 4
D-O Course Schedule	. . .	pg 6

INDEPENDENT DEALER-OPERATOR RE-CERTIFICATION

If your initial independent dealer-operator certificate of qualification was issued to you in the months of January, February or March and prior to 1995, you are one of 103 individuals that should have received your recertification notice in the mail. If your initial certification was prior to 1995 in the months of April or May, you too will soon receive your notice.

If you do not recall the year and/or month you were initially certified, there is no need to be concerned. The Motor Vehicle Dealer Board has this information and you will be given ample notice when it is your time to recertify.

Once it is your time to recertify, you will have the (3) three continuing education options to meet your recertification requirement. (See page 2) You will receive the recertification notice along with continuing education material well in advance of your recertification deadline date. This ensures the Independent Dealer-Operator has ample time to schedule the course or examination without disrupting business activities. This material will be mailed to the Dealer-Operator's home address currently on file at the Board.

Please ensure you keep the Board informed on any home address changes so we have the most accurate on file to receive you recertification notices and related material. We also encourage you to provide us an email address. One easy way to provide your email address and subscribe to our *Dealer Talk* newsletter is to click on <http://www.mvdb.virginia.gov/cgi-bin/subscribe.cgi> and enter your email address. *Dealer Talk* is a useful publication that provides current information on dealer related laws, regulations and business practices.

(Continued on page 2)



Calendar of Events

All Meetings held at DMV
Headquarters
2300 W. Broad Street, Room
702 Richmond, VA

Monday, March 14, 2011

Time: 9:00 a.m.

Dealer Practices Committee
Meeting

Monday, March 14, 2011

Time: Immediately following Dealer
Practices

Licensing Committee Meeting

Monday, March 14, 2011

Time: Immediately following
Licensing

Advertising Committee Meeting

Monday, March 14, 2011

Time: Immediately following
Advertising

Transaction Recovery Fund
Committee Meeting

Monday, March 14, 2011

Time: 10:00 a.m.

Full Board Meeting

NOTE: Meetings may begin later,
but not earlier than
scheduled.

INDEPENDENT DEALER-OPERATOR RE-CERTIFICATION

(Continued from page 1)

Options 1 and 2 are continuing education course vendors that can directly assist you on registering for the recertification course. Both the Virginia Independent Automobile Dealers Association (VIADA) and Compass Systems will notify MVDB directly when you have completed the course. If you decide to take the Dealer-Operator Recertification examination, DMV notifies MVDB of your examination result. MVDB does not provide advice on which continuing education option is best for the meeting the Dealer-Operator recertification; however we can assist with the Dealer-Operator program requirements and continuing education process. Please contact us directly at recertify@mvdb.virginia.gov for questions.

OPTION 1 - VCC- VIADA

The Virginia Community College System (VCC) and the Virginia Independent Automobile Dealers Association (VIADA) have teamed up to offer an on-line *and* classroom continuing education courses to choose for recertification.

To register for the Dealer-Operator Recertification online class go to www.tcc.edu/wd. For registering for the classroom course, click on www.viada.org/education.php. You may also visit the VIADA website at www.viada.org or contact their office at 800-394-1960.

OPTION 2- Compass Systems, Inc.

This course provider is offering an on-line course to meet the Dealer-Operator recertification requirement. To register please visit www.eProLearn.com or call 800-296-5585.

OPTION 3 - Independent Dealer-Operator Recertification Examination

This is a recertification examination given at DMV Customer Service Centers. You must successfully *pass* the examination for recertification. *If you fail, you will not be allowed to retake this examination and must take a course (see Options 1 and 2) in order to remain certified as a Dealer-Operator.* The recertification notice that is mailed to the home address of independent Dealer-Operators will have instructions and the registration form you will need to submit to the MVDB in order to take the exam.

DEADLINE TO CONVERT TO PRINT-ON-DEMAND TEMPORARY TAGS IS MAY 1.

Dealers have a few short months before the May 1 deadline to convert to the Department of Motor Vehicles' (DMV) Print-on-Demand temporary tags program. More than 775 Virginia dealers are already participating in the Print-on-Demand temporary tags program. Since December 2009, dealers have printed nearly 106,000 Print-On-Demand temporary tags from their printers.

DMV requires that all new dealers participate in the Print-on-Demand temporary tags program and existing dealers must convert by May 1, 2011.

The vendor-operated program uses software to allow dealers to electronically transfer vehicle and owner information to DMV, and produces a unique temporary tag number and expiration date. Participating dealers are finding the program helpful in many ways by making the temporary tag process easier and more efficient. It has also cut down on the "black market" demand for temporary tags since the tag number and vehicle's VIN are connected.

Temporary tags print on white 8 ½ x 11 paper from your printer. The tag attaches to the vehicle via a plastic sleeve that DMV provides. The vehicle information, including your dealer's name, appears on the tags. A temporary registration card prints on the same sheet and is given to the customer to place in the vehicle.

DMV stores the vehicle information and the temporary tag's expiration date in its records. Law enforcement can access this information through the Virginia Criminal Information Network (VCIN).

The system tracks the number of temporary tags issued to each dealer. Dealers pay \$2 for each set of temporary tags issued and can issue reprints at no charge. The payments are made to DMV through the vendor.

This customer-friendly service was created with dealer and law enforcement input to ensure your business needs are met.

If you are not already using the Print-on-Demand temporary tags program, you should begin depleting your existing stock of cardboard temporary tags and contact one of the vendors below to schedule installation.

<p>CVR: Scott O'Laughlin (919) 753-8008 solaughlin@cvrreg.com</p>	<p>triVIN: Mike Audette (860) 448-3177 ext. 4645 maudette@trivininc.com</p>	<p>Virginia Interactive: Sheri Wood (804) 786-1851 swood@virginiainteractive.org www.pods.vi.virginia.gov</p>
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For more information about the benefits of using Print-on-Demand temporary tags or to learn how to sign-up, visit www.dmv.virginia.gov/webdoc/commercial/dealer/pod_intro.asp or contact the Print on Demand Help Desk at (804) 367-1474 or podtemptag@dmv.virginia.gov.

HOLIDAYS HOURS

In observance of Presidents Day, all state agencies, including the Dealer Board, will be closed on the following date:

Monday
February 21, 2010



PRESIDENTS DAY!

DID YOU WATCH US ON THE WEB?

With the help of DMV, all MVDB Board meeting are broadcast live on the internet. To watch a “rerun” of the January MVDB meeting click this link:

http://www.dmvnow.com/webdoc/media/video/live_event.asp

Scroll down to the archives and look for the January 10th meeting.

The next Motor Vehicle Dealer Board meeting, which is scheduled for March 14 at 9:00 am, will broadcast live on the WEB once again. A hot link will be posted on the MVDB Home Page (www.mvdb.virginia.gov) for a quick and easy connection to the broadcast. Mark your calendars now!

BOARD ACTIONS

Little Man’s Auto, Inc. and John R. Mullins, Sr. On June 24, 2010, in the General District Court in Tazewell, Mr. Mullins was convicted of two misdemeanors for violations of Virginia law related to improper issue of a transport tag; and for failing to safety inspect a vehicle prior to sale. These convictions stemmed from a consumer complaint. The MVDB convened an informal fact-finding conference based on the fact that Mr. Mullins had been convicted of any criminal act involving the business of selling vehicles.

In the conference Mr. Mullins stated that an employee forged his signature on documents; however, he did acknowledge that as the dealer-operator, he is ultimately responsible for the actions of his employees. Based on the information provided at the conference, and the hearing officer’s report, the Board voted at its January meeting that a warning letter should be sent to Mr. Mullins.

D & K Auto Sales and George H. Lovelace. An unsatisfactory inspection conducted in November 2009 resulted in an educational/warning letter being sent to Mr. Loveless. Mr. Loveless responded to the letter stating that he had addressed all of the deficiencies. A consumer complaint led to another inspection in December of 2009 where the field representative found no improvement as well as additional problems. An August 2010 inspection revealed no improvements and additional problems. As a result of these failed inspections, on December 6, 2010, an informal fact-finding conference was conducted to address a number of alleged violations of the dealer laws including those related to record keeping; failure to have salespersons properly licensed; failure to properly issue temporary tags; improper use of or permitting the improper use of dealer’s license plates; failure to submit application for titles, plates and fees to DMV within 30 days; and failure to comply subsequent to receipt of a written warning/willful failure to comply with the dealer laws.

Based on the information provided at the conference and the hearing officer’s report, the Board voted at its January meeting to assess a \$1,500 civil penalty on Mr. Loveless and to suspend his dealer license pending a satisfactory inspection and his successful completion of the dealer-operator 2-day class.

(Continued on page 5)

BOARD ACTIONS

(Continued from page 4)

Export Car Connection and Anwar Saidi. An unsatisfactory inspection in August of 2008 resulted in a letter being sent to Mr. Saidi. Mr. Saidi responded to the letter stating that he would address all of the deficiencies. Another unsatisfactory inspection in February of 2009 resulted in another letter being sent to Mr. Saidi and another response that he would address all of the deficiencies. A consumer complaint alleging that one of Mr. Saidi's employees had sold a vehicle away from the dealership and without a proper buyers order led to another unsatisfactory inspection and confirmation that vehicles were being sold from locations other than from the dealership.

Based on the above information, the Board convened an informal fact-finding conference on October 10, 2010, the conference was conducted to address a number of alleged violations of the dealer laws including those related to record keeping; failure to maintain auto liability insurance for all dealer plates; failure to properly issue temporary tags; improper use of or permitting the improper use of dealer plates; having made material misstatements on an application; failure to comply subsequent to receipt of a written warning/willful failure to comply with the dealer laws; and failure to properly maintain the established place of business.

In the conference Mr. Saidi admitted that he was rarely at the dealership and that his salespersons were buying and selling vehicles on their own. Based on the information provided at the conference and the hearing officer's report, the Board voted to assess a \$1,800 civil penalty and to revoke all licenses issued by the Board to Mr. Saidi.

CRAIGSLIST

Craigslist has become a popular advertising tool for dealers. Please remember that the dealer advertising laws and regulations apply to all advertisements including those posted on Craigslist.

Virginia Law requires that in all advertisements you must identify the name of the dealership or clearly state you are a Virginia dealer by including "VA DLR" in each advertisement. Each Craigslist posting must include either the name of your dealership or "VA DLR" in the body of each posting. Posting advertisements under the heading "By Dealer Only" does not satisfy the requirement.

Also, even if you are not listing any motor vehicles in the posting - you must include the "VA DLR" or the dealership name. An example would be if your advertisement is one that does not include any vehicles, and only a credit application.

Also, Virginia Regulations require dealers to ". . . *maintain and make available to the Board and the Board staff, if requested, the original or a clear facsimile copy of all advertisements in a manner that permits systematic retrieval for a period of 60 days subsequent to the expiration date of the advertisement.*" In other words, Virginia dealers must retain a copy of each Craigslist posting for a period of 60 days from the date the posting was removed from Craigslist.

If a telephone number is included in the posting, it must be the telephone number for the dealership as reported to the Motor Vehicle Dealer Board. You may include an additional telephone number(s) if you like. If there is only one telephone number listed in the advertisement, it must be the telephone number you have noted on your initial or renewal application.

Violations are subject to a civil penalty of up to \$1,000 per occurrence and/or suspension or revocation of your dealer license.

Dealer-Operator Course

The Virginia Community College System and the Virginia Independent Automobile Dealers Association (VIADA) have teamed up to present a two-day Dealer-Operator course. The following is a list of up-coming classes. The list is regularly updated on our WEB site at <http://www.mvdb.virginia.gov/licensingprocess.htm>.

IMPORTANT NOTICE TO ALL PROSPECTIVE DEALERS

The dealer-operator of any new independent motor vehicle dealership is required to successfully complete a course of study before they will be allowed to take the independent dealer-operator qualification test at any DMV Customer Service Center. "Grandfathered" dealer-operators, title clerks and salespersons are encouraged to take the course as well.

Course Schedule

2011

February 8 & 9 - Paul D. Camp Community College, Franklin

Contact: Renee Brown; 757-569-6050; www.pdc.edu/workforce-development

February 22 & 23 - Virginia Western Community College, Roanoke

Contact: Tina Trudeau; 540-767-6131; www.virginiawestern.edu

March 8 & 9 - Northern Virginia Community College, Reston

Contact: Claire Wynn; 703-450-2551; www.nvcc.edu/loudoun/continuing

March 22 & 23 - New River Community College, Dublin

Contact: Kathy Ridpath at 540-674-3633; www.nr.edu/workforce/

April 5 & 6 - Lord Fairfax Community College, Middletown

Contact: Registration; 540-868-7021; www.lfccworkforce.com

May 3 & 4 - Thomas Nelson Community College, Hampton

Contact: Registration; 757-825-2937; www.tncc.edu

May 17 & 18 - Blue Ridge Community College, Weyers Cave

Contact: Lisa or Sandy; 540-453-2215; www.brcc.edu

Registration materials and information are available from each of the Community Colleges' WEB site or by calling the individual college.

The cost is \$325 if you register at least two weeks prior to the date of the course. The fee is \$375 after that date.