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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.

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INDEPENDENT DEALER OPERATOR RECERTIFICATION

Ninety-four percent of the first round of Independent Dealer Operators met their deadline

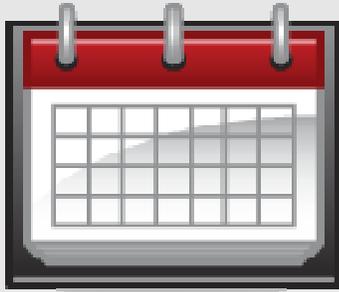
Of this first group of 109 dealer operators whose recertification deadline date was May 31, 2011, 94% have met their dealer operator recertification requirement for the next three years. We have been responsive to feedback from the dealer operators and course providers to ensure recertification requirements and guidelines are presented timely and clearly thanks to Ann Majors, Education and Compliance Specialist at MVDB who was recently hired in April 2011.

We have continued to send over 1,000 recertification notices to the dealer operator's home mailing address on record with the Board. If you have not received your recertification notice, please do not be concerned, your recertification date is tied to the original qualification date you became a dealer operator.

We have had very few recertification notifications come back to our office "undelivered". This is VERY GOOD NEWS. Please make sure you keep the dealer operator home mailing address, email address, and telephone number current with the Board. This is helpful for the dealer operator and our office if there should be questions or concerns so that we can promptly assist.

When you receive your recertification letter in the mail, please make sure you immediately open this mailing and review the information; particularly your RECERTIFICATION DEADLINE DATE. The RECERTIFICATION DEADLINE DATE is VERY important to ensure you schedule either the in-class or online continuing education on or before this deadline date. It is strongly suggested to schedule your continuing education, in-class or online option sooner rather than waiting to the last minute. If you decide to take the examination at DMV please mail in payment and follow the instructions provided in your recertification notices as soon as time permits. Most dealer operators are choosing to register early, a month or more before their recertification deadline.

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Calendar of Events

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

Monday, July 11, 2011

Time: 9:00 a.m.

**Dealer Practices Committee
Meeting**

Monday, July 11, 2011

Time: Immediately following Dealer
Practices

Licensing Committee Meeting

Monday, July 11, 2011

Time: Immediately following
Licensing

Advertising Committee Meeting

Monday, July 11, 2011

Time: Immediately following
Advertising

**Transaction Recovery Fund
Committee Meeting**

Monday, July 11, 2011

Time: 10:00 a.m.

Full Board Meeting

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

RECERTIFICATION

(Continued from page 1)

Over the next year's recertification cycles, we will continue to work with dealer operators and the training vendors to ensure the program's success continues. Overall most dealer operators felt both the online and in-class content was useful, informative and helpful. Most were impressed by the presentation of material, particularly the new laws and regulations for Virginia dealers. Even if some of the in-class or online information was not applicable to the dealer operator's day to day business, overall most dealer operators benefited from this material.

Some additional feedback/questions we would like to share with you and some helpful information is as follows:

How long is the online class? Please keep in mind the online class is 6 hours and may not be wise to schedule the same day your recertification date expires. It is suggested to allow at least several days to review the material and complete each section at a leisurely pace. Both course providers have designed the online course in sections so that all may be completed. There is no pass or fail; however sections can't be skipped and there are review questions for reinforcement. When complete, you will receive a certificate of completion to retain for your records.

How long is the in-class at the Community College? The class takes about 6 hours. If choosing the in-class option is a better learning style for you please register early. When you complete the course, you will receive a certificate of completion to retain for your records.

Do I need to notify the Board when I have completed the in-class, online, or taken the DMV examination? There is no need to notify the Board. We automatically get status updates on course completions and test results from both course providers and DMV. Please keep in mind when you register for any of the recertification course options you the Independent Dealer Operator are certifying you have registered and complete the course material in its entirety.

(Continued on page 3)

MVDB Paper Registration Cards DMV Cuts Costs of Registration Cards

As a cost saving measure, the Department of Motor Vehicles (DMV) will significantly reduce the amount of 3 x 8 ½ card stock it uses and begin printing most vehicle registration cards, overload permits, operating authority clip cards, sales person licenses and non-repairable certificates on standard 8 ½ x 11 paper. This includes registration cards for dealer tags.

On July 1, on-line dealers should begin printing vehicle registrations on standard paper. The new format will contain all of the same information that is on the smaller cards. This new format is expected to save DMV more than \$57,000 per year.

Registrations renewed online, through the mail or via telephone will still be printed on the smaller registration cards. You can view a sample paper registration at www.dmvnow.com/webdoc/citizen/vehicles/pdf/sample_reg_card.pdf.

If you have any questions, contact Brenda Lewis, in DMV's Vehicle Services Administration, at (804) 367-6408 or Brenda.Lewis@dmv.virginia.gov.

RECERTIFICATION

(Continued from page 2)

How is my recertification deadline date determined? The recertification deadline date is based on your original qualification date as a dealer operator. The Board keeps records on when a dealer operator is up for recertification. The recertification deadline date is NOT the dealership's license renewal date.

If you have any questions, comments or suggestions about the recertification program, please contact Ann Majors at ann.majors@mvdb.virginia.gov or by telephone at 804-367-1100 x 3016.

APPLICATION FOR CERTIFICATE OF TITLE AND REGISTRATION (FORM VSA-17A)

Soon (If not already.) you will receive a letter from DMV reviewing modifications they have made to form VSA 17A, *Application for Certificate of Title and Registration* to reflect legislative changes from the 2011 General Assembly session and other needed changes to facilitate data capture. Included with the letter from DMV is a copy of the revised form.

The revised VSA 17A form supersedes and replaces all previous versions. Use of the revised form is necessary to ensure accuracy and compliance with Department of Motor Vehicles records.

If you use automated equipment to produce this form, your equipment will need to be reprogrammed by your dealership or selected vendor before you can print to the newly revised form. The reprogramming will need to be completed by August 15, 2011, to accommodate the changes to the front and back of the form. The Department of Motor Vehicles will implement these updates to the form on July 1, 2011. Once again, your implementation date is August 15, 2011.

If you do not use automated equipment to produce the VSA 17A, beginning July 1, 2011 use the revised form that is included in the letter from DMV or you may print the revised form from either DMV or the Dealer Board's WEB sites. (On and after July 1, 2011.) Please destroy (recycle) any existing supplies of the "old" form.

If you have questions, please contact Tracy Taylor at 804-367-1862, Tracy.Taylor@dmv.virginia.gov, or Nancy Joyce at 804-367-0222, Nancy.Joyce@dmv.virginia.gov.

HOLIDAYS HOURS

In observance of the upcoming holidays, all state agencies, including the Dealer Board, will be closed on the following dates:

**Monday
July 4, 2011**



For 4th of July

AND

**MONDAY
SEPTEMBER 5, 2011**



FOR LABOR DAY!

LEASING AND RENTING DEALER TAGS

All Salespersons Must Be Employees and Receive a W-2

The Motor Vehicle Dealer Board and the Department of Motor Vehicles are committed to putting a stop to dealers who lease and/or rent dealer license plates. Va. Code Section 46.2-1575 (12) authorizes the Board to suspend or revoke the license of any dealer who leases, rents, lends or otherwise allows the use of a dealer's license plate by persons not specifically authorized under the Virginia Motor Vehicle Dealer Act.

If you are allowing an "Independent Contractor" to use a dealer tag, you may be in violation of the Virginia Law as noted above. If an individual has a salesperson's license issued in the name of your dealership, you must pay them a salary (and/or commission) and you must file an IRS Form "W-2" for each of these employees. Independent contractors (Individuals who file IRS Form "1099") may not be issued a salespersons license and are not allowed to use a dealer tag, except for very limited purposes and only if issued a "PERMISSION TO USE DEALER LICENSE PLATES" form (DSD-27).

A salesperson may not purchase vehicles with their own funds and pay you a fee or commission for each vehicle they sell. A good "rule of thumb" to determine if you may be in violation of Virginia Law is to look at who is paying whom. If a licensed salesperson or anyone else is using a dealer tag issued to your dealership and that individual is paying you money - then you are probably in violation of Virginia Law. If this description fits you - please take immediate, corrective action. Failure to take corrective action could result in the suspension or revocation of your dealer license.

PROOF OF SAFETY INSPECTION

Beginning July 1, 2011, you must retain proof that you have completed a Safety Inspection on every vehicle you have sold at retail and awaiting for sale at retail. Proof could be a copy of the "pink slip"; a state police automated record; or a repair order/receipt from the inspection station that includes the make; model and VIN of the vehicle and the date of inspection.

PRINT-ON-DEMAND TEMPORARY TAGS

Beginning May 1, 2011, dealers who have not yet signed-up for PoD with one of the four vendors listed below are no longer able to purchase cardboard 30-day temporary tags.

Dealers who have signed-up for PoD and are waiting its installation will be able to purchase a limited number of cardboard temporary 30-day tags to assist them in the transition to PoD. All dealers are encouraged to deplete their cardboard 30-day temporary tag stock even after the May 1, 2011 deadline. Please note that as of a future date to be determined, dealers will no longer be allowed to issue 30-day cardboard temporary tags.

DMV is working with PoD vendors to develop and to implement a process for dealers to issue PoD temporary tags, in those rare occasions, when the connection is lost between DMV and the vendor. DMV anticipates, no later than spring 2011, to have this process in place for dealers.

DMV has partnered with four vendors (see below) to offer software that allows dealers to electronically produce and print temporary tags for customers. For PoD service information, contact one of these vendors:

<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>	<p>TitleTec: James Mallett (704) 807-6099 jmallett@titletec.com</p>
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Since DMV first notified dealers about the PoD temporary tags program in December 2009, over 1,600 Virginia dealers have signed-up with one of the four vendors. Dealers have printed more about 378,000 PoD temporary tags from their printers.

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.

WATCH US ON THE WEB

The next Motor Vehicle Dealer Board meeting, which is scheduled for July 11 at 9:00 am, will broadcast live on the WEB. A hot link will be posted on the MVDB Home Page (www.mvdb.virginia.gov) or a quick and easy connection to the broadcast. Mark your calendars now!

Helpful Tips and Reminders

Home address changes. Please be sure to notify us if any of your salespersons, owners or you dealer operator has a change of home address. It is important that we have accurate records in the event we need to contact any individual licensed by the Motor Vehicle Dealer Board.

Photocopy your renewal application. We recommend that before you submit your dealer renewal form (DSD-10) to us that you make a photocopy for your records and refer to the photocopy when completing the renewal for the following year. If you are making any changes on your renewal form, please include a note with your renewal, calling our attention to the change. In this way we can all be sure that we update our computer systems/records.

Salesperson Application Form. Many dealers are still submitting old and obsolete salesperson application forms to us. For the past several years, we have been imaging (scanning) all documents we receive from dealers. The old and outdated versions of forms slow-down the scanning process. The salesperson application (DSD-7) you are using should have a revised date of 2/10/2010). Please check your supply of these applications and if they have a date other than "2/10/2010" please destroy (recycle) and print the updated version of the form: DSD-7

Form VSA 10. DMV has modified Form VSA 10, License Plate Application. If you use this form, the new form can be completed and then printed from DMV or MVDB's WEB site.

BOARD ACTIONS

American Classics and William Myers. Mr. Myers has two locations that primarily sells antique, classic and specialty cars. He requested that the Board grant him a permanent variance to be opened on an "appointment only" basis. After much discussion, the Board decided not to grant the request as Mr. Myers does not have "good cause" to be open on an appointment only basis.

Car Authority, LLC and Michael T. Calderone. In March and May of 2010 a field representative attempted to inspect this dealership. On both occasions the dealership was closed and no hours were posted. This failure to maintain business hours resulted in a \$250 civil penalty which Mr. Calderone paid. Subsequent attempts to inspect this dealership found that the dealer had several deficiencies or that he was not opened as required. As a result, an informal fact-finding conference was conducted to address a number of the alleged violations of the dealer laws. Based on the hearing officer's report, the Board assessed a \$1,250 civil penalty and suspension of the dealer's license for a minimum of 60 days should the dealership fail its next inspection.

T. Call Auto Sales, Inc. and William T. Call. Mr. Call was convicted of improper use of dealer plates. It appears that an employee of Mr. Call allowed a customer to use an expired dealer plate on a vehicle taken for a test drive. The conviction caused the Board staff to convene an informal fact-finding conference. A few weeks after the conference Mr. Call decided to close his dealership and expressed his desire to maintain his salesperson's license and work for someone else. He also indicated that he would like to voluntarily give up his dealer-operator certificate of qualification. The Board assessed a civil penalty of \$100.00 and accepted Mr. Call's voluntary surrender of his dealer-operator certificate of qualification.

COURSE SCHEDULE

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.

2011

June 21 & 22 - Danville Community College, Danville

Contact: Donna Agee; 434-797-6437; www.dcc.vccs.edu/workforce

July 12 & 13 - Northern Virginia Community College, Reston

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

August 2 & 3 - Virginia Western Community College, Roanoke

Contact: Tina Trudeau; 540-966-3984; ext 18; www.virginiawestern.edu

August 23 & 24 - Piedmont Community College, Charlottesville

Contact: Maggie Myers; 434-961-5495 or mmmyers@pvcc.edu; www.pvcc.edu

September 6 & 7 - Tidewater Community College, Norfolk

Contact: Registration; 757-822-1234; www.tcc.edu/wd

September 20 & 21 - Lord Fairfax Community College, Warrenton

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

October 11 & 12 - Community College Workforce Alliance at J. Sargeant Reynolds - Community College, North Run Campus, Henrico County

Contact: Sandy Jones; 804-523-2292; www.ccwa.vccs.edu

October 25 & 26 - Northern Virginia Community College, Reston

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

November 15 & 16 - 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 and \$375 if you register within two weeks of the first day of the course.