

Dealer Details

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Newsletter of the DMV Business Regulation Section

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DMV Business Regulation Section



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Form 735-7022 (6-2013)

April ODAC meeting focuses on legislature

The April meeting of the Oregon Dealer Advisory Committee concentrated on legislation and legislative activity. DMV, ODAC and the associations all had proposed legislation.

DMV's fee increase legislation is still in committee. ODAC's proposal to eliminate the continuing education requirements for dealers was killed by opposition from OVDA and OIADA. OVDA introduced Senate Bill 613 with changes to dealer education.

Other legislation discussed was:

- HB 2725 – Creates a mandatory titling process for ATVs.
- HB 3137 – Requires DMV to record odometer readings on vehicles older than 10 years if they are provided.
- HB 3502 – Prohibits DMV from accepting seller notification of transfer of title unless the form contains

2013 meeting dates

- July 25
- Oct. 24

Location:

DMV Headquarters, 1905
Lana Ave. NE, Salem

all information.

- SB 612 – Creates an expedited title process for dealers.
- SB 615 – Prohibits DMV from fining a dealer for not filling out a 6890.
- SB 613 – Changes the continuing education requirements.

The next ODAC meeting is scheduled for July 25. We encourage you to attend.

– Mary Ann Trout
ODAC Chair

Tow/recovery vehicles cannot be renewed online or at DEQ

Tow/recovery vehicles and vehicles subject to the Heavy Vehicle Use Tax (HVUT) cannot renew registration online with DMV's Online Registration Renewal Program or at a DEQ emissions testing station.

These vehicles are subject to additional requirements that must be submitted with the renewal transaction.

Tow/recovery vehicles must submit a Certificate of Insurance with specific information at each renewal. Vehicles subject to HVUT must submit proof that HVUT has been paid before the registration is renewed.

These requirements cannot be met online or through DEQ.

– Stephanie Zellner
DMV Vehicle Policy

Handbook updated in May 2013

The May 2013 revision of the Title and Registration Handbook is available to view, print or copy at DMV's website www.oregondmv.com.

This revision updates the February 2013 Handbook.

The Handbook is normally updated quarterly. The next revision is scheduled for August 2013.

Dealers may buy a printed copy from one of these organizations:

- Oregon Independent Auto Dealers Association (OIADA), 1-800-447-0302; email: info@oiada.com; www.oiada.com
- Oregon Vehicle Dealers Association (OVDA), 1-877-541-2277; email: ovda@ordealers.com; www.ordealers.com

Changes in the May 2013 Handbook revision are as follows:

Cover Page – The cover page reflects the latest revision date of 05-13.

Chapter F, Ownership Documents – The Dealer Certification of Compliance with Federal Emission and Safety Standards, Form 735-7290, was revised recently. The revision clarifies that the federal standards and EPA labels affixed to the motorcycle/moped indicate compliance for on-road use. A note was also added that only meeting the EPA noise emissions standard does not qualify the vehicle for on-road use.

Chapter G, Operation of Law & Trusts – The chapter was reviewed for

accuracy. The Inheritance Affidavit, Form 735-516, was replaced with the latest revision (1-13).

Chapter O, Tow/Recovery Vehicles – If tow/recovery vehicle customers have questions about insurance requirements under ORS Chapter 825, they may call their insurance agent or carrier.

Chapter R, Dealers – The chapter was revised to clarify fees for preparing DMV title and registration paperwork and for collecting related fees for submission to DMV. The fee collected by the dealer must not exceed \$75. A dealer who is using Electronic Vehicle Registration can collect a fee of up to \$100.

– *Dave Adams*
DMV Vehicle Policy

Online scams use locations of real dealers to target buyers

It should come as no surprise that people are buying cars from dealer's websites. Here is the glitch: The websites might be real, but the dealerships may not exist.

Consumers love shopping online, and dealers are glad to have the customer traffic. With just a few strokes of the keyboard, consumers can find what they are looking for. Some websites even offer to find the vehicle a buyer is looking to purchase.

But this convenience can be a trap. Here is a recent online scam involving the purchase of a Cadillac Escalade:

The purchaser paid a large deposit

online, flew in to pick up the car and found out the dealership did not exist. There was a dealership at the address – but not the dealer who had advertised and sold the vehicle.

The seller who had advertised the Escalade was at the location several years before and had gone out of business.

The dealership now at the location had to prove that it was not the one that had advertised the Escalade in order to clear its name.

By the time the situation was resolved, the website used by the fake dealer was gone, and so was the purchaser's money.

– *DMV Business Regulation*

Changes at Bend and Astoria DMVs

The Bend DMV field office has moved to a temporary location, and the Astoria office has changed hours.

The Bend office moved in April to a temporary location at 63030 O.B. Riley Road so the building and parking lot at its permanent home can be renovated. Renovations are expected to be finished in early 2014. The Bend office hours remain the same: 8 a.m. to 5 p.m. Monday through Friday, except opening 9 a.m. on Wednesdays.

At the Astoria DMV, the office hours changed in April to 9 a.m. to 5 p.m. Monday through Friday.

– *DMV Field Services*

Dealer Sanctions

Dealer	City	Violations Found	Offense	Count	Amount
Civil Penalties					
ORCARCO Inc dba	Oak Grove	Failure to submit fees and application to DMV within 30 days	3	3	\$1,500
Oregon Car Company		Failure to notify purchaser/lien holder of title delay	2	6	\$1,500
		Failure to maintain proper records	2	6	\$1,500
		Failure to furnish title within 90 days	2	2	\$2,000
Craig Stauber dba	Salem	Failure to provide clear title by failing to satisfy interest in a vehicle within 15 days	1	1	\$1,000
Craigs Auto		Failure to submit fees and application to DMV within 30 days	2	1	\$250
		Failure to notify purchaser/lien holder of title delay	2	2	\$500
		Failure to maintain records of title delivery/submit/delays	3	4	\$2,000
		Failure to maintain proper records	3	1	\$500
		Failure to submit notice of vehicle transfer/sale to DMV within 10 days	2	2	\$500
Universal Auto LLC	Salem	Failure to furnish title within 90 days	1	1	\$1,000
		Failure to submit fees and application to DMV within 30 days	2	4	\$1,000
		Failure to notify purchaser/lien holder of title delay	2	5	\$1,250
		Failure to maintain records of title delivery/submit/delays	2	5	\$1,250
		Failure to furnish title/submit title application to DMV within 90 days	1	1	\$1,000
Skyline Auto Sales LLC	Portland	Failure to furnish title within 90 days	1	1	\$1,000
Wurdinger Recycling Island Division LLC	Island City	Failure to maintain proper records for a motor vehicle	2	9	\$2,250
Direct Auto Sales Inc	Island City	Failure to submit fees and application to DMV within 30 days	3	3	1,500
Monty LaComb	Cave Junction	Failure to obtain supplemental certificate prior to conducting business	1	1	\$500
Lisa Ephrem dba	Happy Valley	Failure to obtain supplemental certificate prior to conducting business	1	1	\$500
Carr City					
Wholesale Auto Connection LLC	Bend	Issued temporary registration permits without collecting title/registration fees	2	1	\$50
Fisher Implement Co	Tangent	Failure to obtain a corrected dealer certificate			
(Cancellation)					
XS Cars and Trucks LLC	Medford	Failure to furnish title/submit title application to DMV within 90 days	1	4	\$4,000
(3 YR Suspension)		Failure to satisfy interest within 15 days	1	2	\$2,000
		Failure to furnish ownership documents to purchaser within 25 days	2	1	\$250
		Failure to submit all taxes/fees due in connection with sale or transfer of a vehicle	1	1	\$250
		Failure to submit fees and application to DMV within 30 days	2	28	\$7,000
		Issued temporary registration permits without collecting title/registration fees	1	28	\$7,000
		Failure to furnish title/submit title application to DMV within 90 days	1	1	\$1,000
Patrick O Nwafor dba	Corvallis				
Affordable Auto Brokers	Milwaukie	Failure to obtain supplemental vehicle dealer certificate	1	1	\$500
Claud H Cummings dba	Portland				
Claud H Cummings Wholesale	Portland	Failure to furnish title within 90 days	1	1	\$1,000
A & S Auto Sales LLC	Portland	Failure to submit fees and application to DMV within 30 days	2	1	\$250
Thomas Ellis and Wesley E Mason dba	Portland	Failure to maintain proper records	2	3	\$750
Metro Motors		Failure to notify DMV vehicle has been transferred to dealer	2	1	\$50
		Failure to satisfy interest within 15 days	1	1	\$1,000
K and R Marketing Corporation	Monmouth	Failure to submit fees and application to DMV within 30 days	4	4	\$4,000
(3 YR Probation)		Failure to pay consignor within 10 days	3	2	\$2,000
		Failure to furnish title within 90 days	2	1	\$1,000
		Making a false statement of material fact	1	2	\$1,000
Dreams Inc	Salem	Failure to furnish ownership documents to purchaser within 25 days	2	1	\$250
(3 YR Probation)		Failure to notify purchaser of title delay	3	2	\$1,000
		Failure to maintain records of title delivery/submit/delays	4	5	\$5,000
		Failure to maintain proper records	4	7	\$7,000
		Failure to submit dealer notice of vehicle purchase to DMV within 7 days	4	3	\$750
Truce Auto LLC dba	Madras	Issued temporary registration permits without collecting title/registration fees	2	2	\$100
Truce Auto					

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Note: Fines and sanctions for dealers and unlicensed dealers may not reflect settlements.

Dealer Sanctions

Continued from Page 3

Dealer	City	Violations Found	Offense	Count	Amount
Civil Penalties					
Autoteam LLC	Portland	Failure to submit fees and application to DMV within 30 days	3	1	\$500
		Failure to notify purchaser of title delay	2	1	\$250
Matthew Stevens dba Platinum Auto Wholesale (3 YR Suspension)	Clackamas	Failure to allow an administrative inspection	1	1	\$1,000
		Failure to satisfy interest of selling dealer within 15 days of receiving clear title	1	2	\$2,000
Luxury Motors LLC dba Luxury Auto Group (3 YR Suspension)	Portland	Making a false statement of material fact in an application for dealer certificate	1	1	\$500
		Failure to submit fees and application to DMV within 30 days	1	10	\$2,500
		Failure to furnish ownership documents to purchaser within 25 days	1	7	\$1,750
		Failure to furnish title within 90 days	1	8	\$8,000
Lewis Chike	Keizer	Acting as a vehicle dealer without a current dealer certificate	2	16	\$80,000
Gil Bonifacio	Aloha	Acting as a vehicle dealer without a current dealer certificate	1	9	\$22,500
Guillermo Salas Sanchez	Hillsboro	Acting as a vehicle dealer without a current dealer certificate	1	8	\$20,000
Gano Cornwall	Portland	Acting as a vehicle dealer without a current dealer certificate	1	10	\$25,000

Dealers asked to use DMV lines sparingly

Vehicle dealers may process title and registration paperwork to DMV using several different methods:

- Mailing in your paperwork
- Dropping off your paperwork at a field office to be picked up after processing
- Or waiting in line at a DMV field office counter

The least appealing of these options for both you and the DMV is to have you stand in line to process your transactions.

DMV understands that on some occasions dealers have no option but to come to a field office, stand in line and wait for service. The field offices have recognized your needs and allowed you to process three to five transactions per day this way.

Unfortunately, some dealerships have been overusing this courtesy

by sending in multiple “runners” or having one runner obtaining multiple tickets, causing friction among the dealer, the field offices and other DMV customers.

In order to avoid further restrictions, DMV is asking that you partner with us in making our service to you more effective and efficient using the following practices:

- Limit your use of standing in line to only urgent situations
- Do not exceed the transaction limits set by your local field office
- Bring in your urgent paperwork in the mornings – never after 4 p.m.
- Avoid lunch hours
- Try to come in mid-week

These guidelines will help make transactions for you, DMV and other DMV customers more efficient.

– DMV Field Services

Important notice is added to federal safety, emission form

The DMV Dealer Certification of Compliance with Federal Emission and Safety Standards, Form 735-7290, was revised recently.

The revision clarifies that the federal standards and EPA labels affixed to the motorcycle/moped must indicate compliance for on-road operation.

A note was also added that only meeting the EPA noise emissions standard does not qualify the vehicle for on-road use.

Only an Oregon licensed dealer

may complete this form. If you submit a Form 735-7290, you are certifying that:

- The vehicle is from dealer inventory
- You have viewed the on-road Federal Safety Standards and EPA labels affixed to the vehicle
- And the vehicle meets applicable federal safety and emission standards in effect at the time of manufacture for on-road use

– Dave Adams
DMV Vehicle Policy