

Dealer Details

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Form 735-7022 (8-05)

Dealers, buyers praise convenient plates, tags

Vehicle dealers have completed more than 67,000 transactions through DMV's Electronic Vehicle Registration now that the program is hitting its second anniversary in September.

EVR allows participating auto dealers to issue license plates and registration stickers and place them on a customer's vehicle at the time the vehicle is sold.

Participating dealers are able to issue plates and stickers for passenger cars, motorcycles, mopeds, trucks, motor homes, travel trailers and campers. Dealers also have access to the DMV Customer Information System (CIS) and have the capability of doing online inquiries through EVR.

Motorcycle dealers in particular are pleased with the program, allowing them to place plates on new motorcycles. There aren't many convenient places to attach a temporary registration certificate on a motorcycle.

EVR is simple to use and provides excellent customer service, eliminates trips to DMV field offices and helps resolve any problems quickly, a Ron Tonkin Acura employee said.

Customer service is the number one benefit for vehicle dealers. The ability to mount plates and stickers on a customer's car at the time of sale is convenient for both the customer and the dealer. The sale is completed, without any need to order plates and call the customer back in when the plates arrive.

The program also saves processing time at DMV, a benefit for dealers, customers and DMV's taxpayer-supported vehicle services.

EVR started as a pilot program in December 2002 with 10 dealers and became a full-fledged program in September 2004. As of Summer 2005, 116 dealers across Oregon are participating in EVR.

Transactions are completed through the dealers' computer systems, which communicate with DMV through an integrator's host computer. The integrator company is Computerized Vehicle Registration (CVR).

For more information about EVR in Oregon, call 1-800-386-1746.

— Keith Nardi

Mail Transaction Section Manager

Period to perfect liens extended to 30 days

Oregon will extend the time period to perfect a vehicle lien to 30 days.

House Bill 2017, which takes effect Oct. 17, 2005, increases the period from 20 days to 30 days to match provisions under the federal Bankruptcy

Abuse Prevention and Consumer Protection Act of 2005. DMV will modify Form 735-227 but continue to accept the old version, even after Oct. 17.

— Margaret Stephens
Vehicle Programs

Dealer handbook updates

The July 2005 revision of the Title and Registration Handbook is available to view, print or copy at www.OregonDMV.com. This revision is an update to the April 2005 Handbook.

Dealers who maintain a printed copy of the handbook need only print the revised cover page and chapters listed here. Remove the previous versions of these pages and insert the revised pages into the Handbook.

The supply of printed copies of the handbook has been exhausted at the ODOT/DMV Storeroom. Dealers that do not have access to the Internet may order a copy, including updates, in CD format through the Oregon Independent Auto Dealers Association (OIADA) or the Oregon Vehicle Dealers Association (OVDA). For more information about ordering, contact either: OIADA at 800-447-0302 or info@OIADA.com; or OVDA at 503-399-9199 or ovda@oregonvda.com.

DMV revises the handbook at www.OregonDMV.com as needed on a quarterly basis. Revisions are announced in *Dealer Details*, and dealers can check for updates on the DMV Web site.

July 2005 revisions

The manufactured structure title and registration program has been transferred from DMV to the Oregon Building Codes Division at the Department of Consumer and Business Services. Please contact the Building Codes Division at (503) 373-1309 or www.bcd.oregon.gov/lois/.

Most of the handbook's July 2005 revisions are a result of the deletion of references to manufactured structures and their titling, registration and trip permits. References to Form 222, Ap-

plication for Title and Registration for Manufactured Structures and Non-motorized Vehicles, have been deleted. Form 222 is obsolete, and dealers should destroy all copies of it. Use Form 226, Application for Title and Registration, for title applications.

Sections affected by the July 2005 revisions are listed below. Changes other than those relating to manufactured structures are described.

Foreword, Preface and Table of Contents

Chapters A, B and C

Chapter D – Application for Replacement Title: An example of the latest version of Application for Replacement Title, Form 515 (3-05), is included.

Chapter E

Chapter G: The post office box number for U.S. Customs in Portland has been corrected to P.O. Box 55580.

Chapter K: An example for the latest version of Notice Of Vehicle To Be Dismantled / Proof Of Compliance, Form 6017 (3-05), is included.

Chapter L – Registration

Chapter M – Vehicle Types: Includes current definition of special-use trailer. Provides statute and rule references for information about exemptions from title and registration, and optional titling.

Chapters N and P

Chapter Q: An example of the latest version of Wrecker's Vehicle Notice to Driver and Motor Vehicle Services, Form 270 (9-04), is included.

Chapter S: Changes the references to the number of days a dealer has to send in the DMV copy of the trip permit from five to seven.

Chapter U

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– Margaret Stephens
Vehicle Programs

Scrape stickers when not doing DMV paperwork

A little scraping noise is confusing some vehicle dealers: when to scrape off registration stickers and when not to.

Under current Oregon law, vehicle dealers are required to remove valid registration stickers from Oregon registration plates when they sell a vehicle and are not submitting title and registration documents to DMV on behalf of the buyer.

In other words, any time a dealer sells a vehicle without doing the DMV work on behalf of the buyer, the dealer must scrape off the year stickers from Oregon registration plates.

The buyer may purchase a 10-day trip permit from the dealer, which dealers may buy from the DMV Business License Unit.

A dealer may issue up to two trip permits per vehicle for \$10 each.

If the dealer does not have trip permits, the buyer may purchase one from a DMV field office prior to driving the car.

Or the buyer, prior to driving the vehicle, may transfer the title and obtain replacement registration stickers and/or a new set of plates at a DMV field office.

Customers who drive a vehicle without valid plates and registration or a trip permit can be cited by law enforcement. The dealer also can be cited for permitting unlawful operation of an unregistered vehicle (ORS 803.320).

– Rick Parsons
Investigations

Prompt action vital for canceled bond

Vehicle dealers now have a 45-day grace period to reinstate a dealer license that was canceled because of bond or liability insurance coverage. Yet dealers in that situation still need to act quickly to avoid costly consequences.

A dealer who receives a Notice of Cancellation from DMV's Business License Unit that is related to bond or liability insurance coverage first must read it carefully. It is the dealer's responsibility as the licensee to ensure that a new bond or insurance certificate is **received** by the Business License Unit **within 45 calendar days** of the date of cancellation or expiration.

If the new bond or insurance is not received by the Business License Unit by the end of the 45th business day, then DMV cannot by law reinstate a certificate. The dealer must reapply as a new applicant; the law allows no exceptions.

Filing a new application requires paying for the full three-year license and

dealer plates, obtaining the required education and getting location approval from the city or county.

Dealers should not assume that the bond or insurance provider has given the Business License Unit the proof of required coverage. A little follow-through early in the process can avoid a lot of work and expense, the Business License Unit advises.

Often, DMV learns that the insurance or bond was obtained by the dealer before the deadline, but that the insurer did not send the forms to DMV or that they were lost in the mail. Yet the law leaves no room for error. The properly completed state insurance or bond forms must be in the physical possession of the Business License Unit in order for DMV to reinstate a license within the 45-day grace period.

The Business License Unit must have the original bond form. A faxed copy of the liability insurance form also is acceptable, but only if faxed from the insurer.

The Business License Unit recommends that the dealer contact the unit at 503-945-5052 to verify receipt of the forms well before the 45th day. Dealers and the public also can check the status of dealer certificates by visiting the DMV Web site at www.OregonDMV.com.

The 45-day grace period became law in 2004 in recognition of problems dealers sometimes experienced in obtaining bond or insurance coverage. The change has allowed dealers to reinstate a canceled certificate within the 45-day period, rather than force them to reapply as new dealers.

However, the grace period does not allow dealer activities until the certificate has been reinstated – another reason that prompt follow-through is vital to business. Continuing dealer activities while a certificate is in a canceled status may lead to civil penalties for acting as an unlicensed dealer.

– Rick Parsons
Investigations

'Totaled' brand applies to more vehicles

Oregon DMV will apply a "Totaled" brand to vehicles from out of state starting Sept. 6, 2005, when they meet the Oregon definition of "totaled."

Oregon DMV will place a "Totaled" brand on the Oregon title when an out-of-state title, salvage title or salvage certificate or other ownership document is received showing the name of an insurer as the vehicle owner, or when an insurer is shown as an interim owner on any reassignment area submitted with the title transaction.

The only exception is when an insurer submits an out-of-state title while

applying for an Oregon title in the insurer's own name.

Oregon law requires DMV to issue both regular titles and salvage titles with the word "Totaled" in the brand box when the vehicle meets Oregon's definition of a "Totaled Vehicle" under Oregon Revised Statutes (ORS 801.527). This definition includes vehicles that are declared a total loss by an insurer or when the insurer takes possession of or title to the vehicle.

Once a vehicle is determined to be "totaled," all subsequent Oregon titles or salvage titles must be issued with the

"Totaled" branding.

DMV will remove the "Totaled" brand if the agency receives information that the vehicle is a theft-recovery vehicle that no longer meets the state's definition of "totaled," just as DMV does for vehicles titled in Oregon.

The Title and Registration Handbook will be revised to include this information in an upcoming revision.

For questions about this change, contact the DMV Vehicle Policy Unit at (503) 945-5243.

– Stephanie Zellner
Vehicle Programs

Dealer Sanctions

Dealer	City	Violations Found	Offense Count	Amount
CIVIL PENALTIES				
Auto Link Inc dba Auto Link — 1 YEAR PROBATION	Gresham	Failure to pay consignor within 10 days	2	\$1,500.00
Gales Creek Camp Foundation For Children With Diabetes dba Gales Creek Vehicle Donation Program	Portland	Late Renewal	1	\$100.00
Steve's Auto Sales Inc -- 1 YEAR PROBATION	Newberg	Failure to satisfy interest in a vehicle within 15 days	1	\$2,000.00
Christopher and Friends LLC dba USA Auto & Truck Sales -- 3 YEAR SUSPENSION	Portland	Failure to provide written notice of title delay	2	\$500.00
		Failure to submit fees and application to DMV within 30 days	4	\$8,000.00
		Making false statement of material fact	1	\$500.00
		Failure to furnish title/application for title to DMV within 90 days	3	\$500.00
		Failure to refund excess fees	3	\$1,000.00
		Charging title/registration processing fee in excess of \$50 and charging processing fee without submitting documents to DMV	3	\$4,000.00
		Late Renewal	1	\$100.00
Transportation Support Services Inc	Portland	Late Renewal	1	\$100.00
Beep Beep Cars LLC	Eugene	Failure to obtain a supplemental dealer certificate	1	\$500.00
First Rate Auto Inc	Portland	Failure to supply ownership documents to purchaser within 25 days	2	\$250.00
		Failure to maintain proper records	2	\$250.00
Guadalupe Magana dba Magana Auto Sales	Hood River	Failure to obtain corrected dealer certificate before moving	1	\$500.00
John T Ellis Jr dba J and R Motors — 1 YEAR PROBATION	Eugene	Making false statement of material fact	1	\$1,000.00
		Failure to maintain records of title delivery or submission of title/registration to DMV	3	\$1,500.00
		Charging title/registration processing fee in excess of \$50 and failure to maintain proper records	1	\$750.00
		Failure to satisfy interest in a vehicle within 15 days	3	\$1,000.00
		Failure to obtain corrected dealer certificate before moving	2	\$2,000.00
		Failure to provide written notice of title delay	1	\$500.00
RMZ Inc dba Beaverton Lincoln Mercury Mitsubishi	Portland	Failure to maintain record of title delivery	2	\$750.00
Jon T Mather dba J D Auto Wholesale	Portland	Failure to notify DMV of vehicle transferred to dealer	2	\$150.00
		Failure to satisfy interest in a vehicle within 15 days	2	\$4,000.00
		Failure to submit fees and application to DMV within 30 days	1	\$250.00
J K Gladstone Inc LLC Premier Nissan of Gladstone	Gladstone	Failure to submit fees and application to DMV within 30 days	2	\$4,000.00
Jesse James Ephrem dba Lancaster Motors	Salem	Late Renewal	1	\$100.00
American Marine Services Inc	Hubbard	Failure to obtain a supplemental dealer certificate	1	\$500.00
Mock's Ford Sales Inc dba Siskiyou RV World Inc	Grants Pass	Late Renewal	1	\$100.00
K & R RV Sales LLC dba Madras RV	Madras	Late Renewal	1	\$100.00
Peterson Pacific Corp	Eugene	Late Renewal	1	\$100.00
Richard Madsen dba Italia America Sales	Beaverton	Late Renewal	1	\$100.00
Fowler's Auto Body Inc	Roseburg	Late Renewal	1	\$100.00
William R Deptuch and John R Deptuch dba J D's Auto Wholesale	Eugene	Allowing a non-employee to imply or represent affiliation with dealer	1	\$250.00
Kustom Truck & RV Inc	Coos Bay	Late Renewal	1	\$100.00
W B T N S LLC dba Joe's Trailers	Redmond	Late Renewal	1	\$100.00
Duane Siebert dba Duane's Motor Sales	Lakeview	Late Renewal	1	\$100.00
Trade Link Inc -- 3 YEAR SUSPENSION	Hillsboro	Failure to submit fees and application to DMV within 30 days	2	\$8,000.00
		Failure to supply ownership documents to purchaser within 25 days	1	\$1,000.00
		Failure to satisfy interest in a vehicle within 15 days	3	\$5,000.00
UNLICENSED DEALERS				
David Miller aka Sonny Jack Ephrem	Eugene	Acting as a dealer without a current valid dealer certificate	1	\$5,000.00
Robert Joseph Bowling	Springfield	Acting as a dealer without a current valid dealer certificate	1	\$10,000.00

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