

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 (9-2008)

Transfers of interest are due within 10 days

Oregon law (ORS 803.112) requires the transferor of interest of an Oregon titled vehicle to notify DMV within 10 days of the date of transfer.

Although a dealer selling a consigned vehicle is not technically the transferor of interest, that dealer is representing the consignor. Because the consignor does not typically know the buyer's name, address and driver license number, the consignor does not have sufficient information to complete the DMV form.

In many cases, consignors aren't aware that the transfer of interest needs to be reported, and they rely on the dealer to do all the necessary paperwork.

DMV recommends that in cases where a dealer sells an Oregon titled

vehicle on consignment and a Notice of Sale or Transfer (form 735-6890) is required, the dealer should report the sale to DMV on behalf of its consignor.

The Notice of Sale or Transfer is not required but still may be submitted to DMV if the vehicle is sold to another dealer.

The Notice of Sale or Transfer is not required if the dealer is submitting the application for title to DMV on behalf of the buyer.

The Notice of Sale or Transfer can be submitted by dealers electronically via a direct online link to DMV. Contact DMV Business Regulations at biz.regs@odot.state.or.us to obtain instructions on using the online link.

– By Rick Parsons
DMV Investigations

Verify your insurance with DMV

If you receive a Notice of Cancellation from the Business License Unit that is related to your bond or liability insurance coverage, read it carefully!

It is **your** responsibility as the licensee to insure that a new bond or insurance certificate is **received** by the DMV 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 DMV Business License Unit by close of business on the

45th day, DMV cannot, by law, reinstate your certificate. You must reapply as a new dealer. **No exceptions.**

Do not assume it's been done by the insurer. DMV recommends that you, the dealer, contact the Business License Unit at 503-945-5052 and verify for yourself before the 45th day.

You can check the status of your dealer certificate by visiting the DMV Web site at www.OregonDMV.com.

– Chuck Hoffman
Supervisor, Business Licensing

Handbook updates as of Oct. 1

The October 2008 revision of the Title and Registration Handbook is available to view, print or copy at DMV's Web site www.OregonDMV.com. This revision takes effect Oct. 1, 2008.

The Handbook is updated quarterly. The next revision is scheduled for January 2009.

Vehicle 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 Dealer Association (OVDA), 1-877-541-2277; email: ovda@oregonvda.com; www.oregonvda.com

Changes in the October 2008 Handbook revision are as follows:

Cover Page: Revision date of 10/08.

Table of Contents: Minor revisions to descriptions of chapters.

Chapter A, General Title Requirements: Information was reviewed. Minor revisions not affecting content were made.

Chapter E, Releases of Interest:

Dealer Handbook also is available in printed form

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

Oregon Independent Auto Dealers Association (OIADA) at 1-800-447-0302; info@OIADA.com; or www.oiada.com

Oregon Vehicle Dealer Association (OVDA) at 1-877-541-2277; ovda@oregonvda.com; or www.oregonvda.com

Information was reviewed. Minor revisions not affecting content were made.

Chapter J, Damaged/Totaled Vehicles: An example of the revised Application for Replacement Salvage Title, Form 230, is included (revision date 1/08). This form was revised to

show the increased fine for making false statements on an application for title (\$6,250). References to "true name" on lines 3, 6 and 7 have been replaced with "full legal name."

The Oregon Salvage Title Certificate was revised 7/08. The only change was to the watermark design.

Chapter K, Registration: An example of the revised Certification of Oregon Residency or Domicile, Form 7182 is included (revision date 7/08).

Form 7182 now indicates that an Oregon Income Tax Return Form 40N (for non-residents) is NOT acceptable as a document to support a claim of domicile or residency in Oregon for DMV-related purposes. Form 7182 was also updated to show the increased fine for making false statements on an application for title (\$6,250).

Chapter Q, Insurers: Information was reviewed. Minor revisions not affecting content were made.

Chapter S, Permit Charts: Information was reviewed. A link to Chapter R for information about issuing trip permits was added.

– Margaret Stephens
Vehicle Policy

DMV cannot title mini-motorcycles

Some manufacturers of off-road motorcycles and similar vehicles have been providing a statement on the Manufacturer's Certificate of Origin, or MCO, that a vehicle complies with the U.S. Department of Transportation equipment and safety standards when the vehicle does not comply.

DMV has received transactions to title and register mini-motorcycles, mini-dirt

bikes and other vehicles lacking U.S. DOT safety features. Under Oregon law, a mini-motorcycle or mini-dirt bike is considered an off-road vehicle. DMV has verified that these types of vehicles do not meet federal standards.

DMV will not title and register mini-motorcycles or mini-dirt bikes.

– By Stephanie Zellner
Vehicle Policy

Correction

Apologies to dealer GW Gibby, Co., DA6933. The name was left in the Dealer Sanctions section of the last *Dealer Details* even though charges were dropped.

Dealer Sanctions

Dealer	City	Violations Found	Offense	Count	Amount
Civil Penalties					
TRD Innovations LLC	Clackamas	Failure to obtain a corrected dealer certificate	1	1	\$500
Christina Leann Hackett dba Aristocrat Auto Wholesale	Medford	Failure to furnish title within 90 days	1	1	\$1,000
Aleksander Lupekha and Constantin Perva dba Portland U S Broker	Portland	False swearing relating to business	1	1	\$1,000
Brace Autos Inc dba Guaranteed Affordable Autos	The Dalles	Failure to obtain supplemental dealer certificate	1	2	\$1000
Auto Link Auto Sales Corporation dba Auto Link Gresham	Gresham	Failure to maintain records of registration delivery or notification	2	1	\$250
SMR Recycling Inc	Albany	Failure to pay consignors within 10 days	1	1	\$500
Bobby Ephrem dba BJ's Cars	Eugene	Failure to maintain proper records	2	6	\$1,200
Oswego Luxury Ltd (1 Year Suspension)	Lake Oswego	Failure to submit title and application fees within 30 days	2	2	\$500
Melquiades Torres dba Torres Auto Sales	Portland	Failure to submit title and application fees within 30 days	3	9	\$4,500
		Failure to supply ownership documents to purchaser within 25 days	3	1	\$500
		Failure to maintain proper records	3	3	\$1,500
		Failure to satisfy interest in a vehicle within 15 days	3	3	\$3,000
		Failure to furnish title within 90 days	4	5	\$5,000
		Failure to pay the consignor within 10 days	2	10	\$10,000
		Failure to furnish title to purchaser within 30 days	3	9	\$4,500
		Failure to provide purchaser with written consignment sale disclosure	3	10	\$5,000
		Failure to follow proper procedures when issuing Temp Reg Permits	6-month agent status probation		
Antonio Garcia dba G & D Auto Sales	Brooks	Failure to submit Notice of Vehicle Purchased (Form 165) to DMV	2	6	\$300
Ralph Lee Tidwell dba Action Auto Brokers	Milwaukie	Failure to obtain supplemental dealer certificate	1	1	\$500
Christian Brothers LLC dba Just a Good Car Lot	Salem	Failure to submit title and application fees within 30 days	2	2	\$500
		Failure to submit title and application fees within 30 days	1	7	\$1,750
		Failure to notify purchaser/lien holder of title delay	2	5	\$1,250
		Failure to maintain records of title delivery/submission/delay	2	5	\$1,250
		Failure to submit Notice of Vehicle Purchased (Form 165) to DMV	2	4	\$200
		Failure to pay consignor within 10 days	1	1	\$500
Daniel G Scott dba The Auto Locators	Portland	Printed/produced or caused any title/reg to be printed/produced without authority	1	1	\$1,000
Shoreline Motors Inc	Newport	Failure to supply ownership documents to purchaser within 25 days	3	1	\$500
		Late Renewal	1	1	\$100
		Failure to submit title and application fees within 30 days	3	2	\$1,000
		Failure to supply ownership documents to purchaser within 25 days	2	1	\$250
		Failure to notify purchaser/lien holder of title delay	2	2	\$500
		Failure to maintain records of title delivery/submission/delay	2	2	\$500
		Charging excess title/reg processing fee and/or without submitting documents to DMV	2	2	\$500
		Failure to follow proper procedures when issuing Temp Reg Permits	2	5	\$250
		Failure to maintain proper records	2	9	\$2,250
		Failure to submit Notice of Vehicle Purchased (Form 165) to DMV	2	6	\$300
		Failure to provide record/document of written consignment agreement	2	1	\$250
		Failure to show proof consignor was legal/registered owner or lessor	2	1	\$250
Sieler Motor Company LLC	Portland	Failure to obtain a corrected dealer certificate	1	1	\$500
D and R Ford Mercury of Enterprise LLC dba D and R Ford Mercury	Enterprise	Failure to submit title and application fees within 30 days	2	6	\$1,500
		Failure to notify purchaser/lien holder of title delay	2	6	\$1,500
		Failure to satisfy interest in a vehicle within 15 days	2	1	\$1,000
Johnny Ephrem dba Quality RV	Portland	Late Renewal	1	1	\$100

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Dealer Sanctions

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UNLICENSED DEALERS

Glen Davis	Keizer	Acting as a vehicle dealer without a current dealer certificate	1	4	\$10,500
Dennis Combs dba Combs Car Corral	Bend	Acting as a vehicle dealer without a current dealer certificate	1	10	\$25,000
Vern Kirk	Lebanon	Acting as a vehicle dealer without a current dealer certificate	1	14	\$35,000
Juan Leon Beltran and Ricardo Leon Beltran	Junction City	Acting as a vehicle dealer without a current dealer certificate	1	6	\$15,000
Maribel Reyes-Barrera	Beaverton	Acting as a vehicle dealer without a current dealer certificate	1	19	\$47,500
Barry George	Boise ID	Acting as a vehicle dealer without a current dealer certificate	1	17	\$42,500

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

DMV adds two online forms for dealers

The membership looked at and evaluated the recently developed Internet application that will allow dealers to submit Forms 165 and 6890 online.

The Oregon Dealer Advisory Committee had been working with DMV over the past two years to develop a system that could easily be used by most of Oregon's dealer community. ODAC was pleased with what we saw.

The membership asked that DMV notify all active dealers by regular mail that the system is available.

For those of you who are not using the system, you need to give it a look. This system is a time saver. If you have lost or misplaced your letter, send an e-mail to bizregs@odot.state.or.us, and you will be sent the link to the forms.

DMV shared its finding on having felony background checks on Oregon dealers as a requirement for a dealer's license and the granted-agent status that comes with the license. The information and an attorney opinion left us with some unanswered questions. We will continue to gather information and let you know what tact we will recommend to DMV.

ODAC discussed the liability insurance requirement for dealers. After the discussion, we agreed that the requirement is protection for the dealer. If

Next meeting Oct. 23

You are invited to attend meetings of the Oregon Dealer Advisory Committee at the DMV Headquarters, 1905 Lana Ave. NE, in Salem.

All meetings are held in Conference Room 382 and run from 9 a.m. to noon.

someone who does not have their own insurance is driving a dealer-owned vehicle and is in an accident, your liability insurance will protect you.

The ODAC membership discussed the motorcycle bond and whether or not the \$2,000 bond was enough. ODAC felt there is no history of problems with the bond at the current level and did not see a reason to increase the required bond amount.

Topics for the Oct. 23 meeting will include proposed legislation from the industries represented by ODAC; continued discussion on felony background checks and DMV Business Regulation's investigation activities.

ODAC meetings are held at DMV Headquarters, 1905 Lana Ave. NE in Salem, are open to the public and run from 9 a.m. to noon.

— Lisa Larkin
ODAC Chairperson

DMV field offices to close for system updates

During the next few months, DMV field offices will be closed during installation and training for new driver licensing equipment.

Dealers can check with their lo-

cal DMV field offices for closure dates and times. Dealers also may check the DMV Web site for details about specific field office locations and business hours.