



DEALER ADVISORY BOARD ACTIVITIES

Purpose

This policy implements Board Policy 4040 concerning the activities of the Dealer Advisory Board.

Legal Authority

Idaho Code 49-1602(7) – Department shall provide regular meetings of the Dealer Advisory Board.

Idaho Code 49-1602(9) – Department shall consider recommendations of the advisory board concerning the licensing of motor vehicle dealers and salespersons.

Idaho Code 49-1602(10) – Department shall require the attendance of 1 to 3 members of the advisory board at hearings conducted under the dealers and salesmen licensing provisions.

Idaho Code 49-1603 – Establishment of dealer advisory board – number of members, terms, compensation and meeting dates.

Idaho Code 49-1608C – Establishes the “board” which administers the Idaho Consumer Asset Recovery (ICAR) fund and is comprised of the director of the Idaho Transportation Department and Dealer Advisory Board or their designee (s).

Idaho Code 49-1610 – Establishes a right of action for persons who are defrauded by a dealer or one of the dealer’s salespersons.

Idaho Code 49-1618 – Denial or revocation of a license requires a hearing.

All Department activities concerning the Dealer Advisory Board shall be the responsibility of the Division of Motor Vehicles Administrator or a designee.

In order to give proper consideration to items concerning dealers and salesmen licensing activities, the Idaho Transportation Department requests the Dealer Advisory Board to function in the following manner:

- Review Department policies and regulations affecting Title 49, Chapter 16, Idaho Code, as they affect Idaho vehicle dealerships and the licensing of vehicle salesmen and make recommendations for the Division of Motor Vehicles Administrator to consider in adopting Board and/or Administrative Policies and regulations.
- Advise the Division of Motor Vehicles concerning needs for activities involving Title 49, Chapter 16, Idaho Code.
- Advise the Division of Motor Vehicles Administrator concerning proposed legislation pertaining to Title 49, Chapters 5 and 16, Idaho Code, regarding dealers and salesman regulated activities.

- Inform the Division of Motor Vehicles Administrator about issues and problems relating to the licensing of vehicle dealers and salesmen.
- Address issues or problems brought before the board by the Division of Motor Vehicles, or as requested by members of the dealership community or who have a valid interest in the dealer and salesman business, policies or regulations.
- Report annually to the Idaho Transportation Board on activities, accomplishments, needs and problems faced by Idaho licensed vehicle dealers and salesmen.
- Attend administrative hearings on dealer and salesman revocation, suspension, cancellation, or denial activities as requested.
- Review the findings of the Department Hearing Officer on all vehicle license revocation hearings and make recommendation to the Director or a designee regarding appropriate action as requested.

Meetings of the Dealer Advisory Board may be called by the Transportation Board, Department Director, or the Division of Motor Vehicles Administrator.

Signed
Brian W. Ness
Director

Date November 15, 2013