

Dealer Examiner Manual

1. 30-Day Temporary Registration Permits

Form Number: ITD3520

Order Form Number: ITD3763

Idaho Code: 49-523(2)(3)(4)

IDAPA 39 (Idaho Administrative Procedures Act), Title 02, Chapter 46

General:

When a person from another state buys a vehicle in Idaho, the dealer generally gives the customer a bill of sale but sends the title paperwork to the DMV where the person will register his/her car. This procedure is legal as long as the customer will register the vehicle within 3 days.

However, if the customer may need more than 3 days for driving the vehicle to his home state and register it at his local DMV, the dealer must issue a 30-Day Temporary Registration Permit, form ITD3520, to the customer.

Dealers can purchase these forms from the Department by filling out the order form number ITD3763. These permits are sold by books of 20 and one book costs \$180.00 (\$9.00 for one permit).

Dealers must issue the permits in sequence and must keep copies with detailed information to whom they have issued these temporary registration permits.

2. 502s – Report of Sale And Application for Certificate of Title

Form Number: ITD0502

Order Form Number: ITD3195

Idaho Code: Title 49 Chapter 4; 40-827; 40-1416; 49-1608

General:

All Idaho dealers must fill out form ITD0502 for in-state retail car sales. Some of the form's copies are submitted to the DMV with the other required paperwork for titling the vehicle.

All used or new vehicles and vessels sold to a person inside the State of Idaho need a 502; this includes: cars, trucks, motorhomes, utility trailers over 2000 pounds, motorcycles, boats longer than 12 feet, all personal watercraft, ATVs, UTVs, and snowmobiles.

Out-of-state sales do not require a ITD0502 form.

Wholesale sales do not require a ITD0502 form.

ITD0502 forms are formally assigned by the Department to each dealer. They must be kept in a secure location and cannot be shared with other dealers. When a dealership is audited, they must be able to produce their 502s, either new (unused) ones, or the dealer copy of the used 502s, in chronological order. Voided 502s must be kept as well.

When a dealership closes, they must return to us their wall license, their dealer license(s), their dealer-, loaner- and laden plates, as well as all their unused 502 forms.

Dealers can order these forms with the order form ITD3195 by mail, email or fax. We will send them a number corresponding to their estimated sales until the end of their licensing period.

At their dealership license renewal, we assign and send to each dealer a number of 502s that equals their in-state retail sales of the last licensing period.

ITD0502 forms are given to the dealers free of charge.

3. Consumer Complaint and Request for Investigation

Form Number: ITD3628

Idaho Code: 49-1602(2)(3); 49-1623

General:

Any consumer may file a complaint against an Idaho car dealer, whether the dealership is still operating or not.

A consumer can be an individual or a business entity.

Customers should complete form ITD3628 with as much information as possible. They should also mention what their requested resolution would be.

Furthermore, complainants should add copies of as much relevant paperwork as possible, such as, for example, copies of the bill of sale, of warranties, odometer readings, financing information, etc.

Complaints can be filed by mail, fax, or email. After we process the complaint, the motor vehicle inspector (MVI) of the district in which the dealership is situated will start by meeting with the dealer and investigating the matter. In most cases, the complaint can be resolved by the MVI without taking further action. However, such action is possible and could result in fines and court appearances, or even in the termination of the dealership.

4. Dealer/Manufacturer Plates

Form Number: Dealer Annual License Renewal – plate order page or ITD3635

Idaho Code: 49-1627(3), 49-411

General:

The Idaho Code specifies who may use dealer plates, for how long and when, in what situation, and what type of ID must be carried while driving with dealer plates. Please see table below for exact usage of Idaho dealer plates.

Idaho dealers and Idaho manufacturers may, both, order dealer plates.

Idaho dealers receive dealer plates according to their combined sales numbers including out-of-state, wholesale and retail sales:

- dealers receive 1 dealer plate per 10 vehicles sold during their previous licensing period
- each dealer may order their first 2 dealer plates, which count for the first 20 sales, regardless if the dealer actually sold 20 vehicles
- every additional dealer plate, however, must correspond to 10 vehicles sold beyond the 20 first vehicles

Idaho manufacturers may order an unlimited number of dealer plates, regardless of their vehicle sales numbers

5. Dealer Bond Cancellation to Revert to ICAR Coverage only

Form Number: no form, but a Word document

Idaho Code: 49-1608; 49-1608B; 49-1608C; 49-1608D

General:

All Idaho vehicle dealers need to maintain a bond in order to receive a dealership license.

A dealer must also pay a yearly contribution to the Idaho Consumer Asset Recovery Fund (ICAR). ICAR is maintained by the ICAR Board. Any valid consumer complaints against a dealer will first appropriate funds from the dealer's bond and secondly from ICAR. ICAR appropriation is decided by the Board.

If a dealership has not been the subject of a claim against their bond or against the ICAR fund for three consecutive years, and if they have never let their bond lapse during these three years, they will be exempt from the obligation to maintain a bond.

Some dealers choose, however, to keep their bond for various reasons.

6. Dealership License - New

Form Number: ITD3170

Idaho Code: Title 49, Chapter 16

General:

Below is a list of all the documents, information and fees that are required for a new dealership. If all the required documents and fees have been received, we process the license. If there are missing items, we advise the dealer in order to help him/her getting all the formalities completed.

Note: as of September 2019, we do not check anymore if a dealership name is already taken. Instead, we defer this duty to the Secretary of State. Therefore, it is useful to tell any potential new dealer to ask their Secretary of State if the name they would like for their dealership is not yet taken.

Type of Document or Information or Fee	Used Vehicle Dealer/ Motorcycle Dealer	Franchise Vehicle/ Motorcycle Dealer (= New Vehicles)	Wholesale Only Dealer
name: dealer needs to check with us if their chosen dealership name is not already	required	required	required

taken before completing any paperwork			
application ITD3170 completed and notarized	required	required	required
commercial zoning approved (application page 2 bottom)	required	required	required
bond	for \$20,000 \$10,000 if motorcycle ATV, UTV only	for \$20,000 \$10,000 if motorcycle ATV, UTV only	for \$40,000
certificate of liability insurance covering correct business name and location, plus “any auto” or “Idaho Code 49-1608A” or the <u>minimum</u> amounts of \$50,000 for bodily injury and \$15,000 for injury or destruction of property = \$65,000 total	required	required	required
sales tax number from IRS	required	required	<u>not</u> required
certificate of assumed business name from Secretary of State	Required if operating under a name different than the LLC, INC, LLP	Required if operating under a name different than the LLC, INC, LLP	Required if operating under a name different than the LLC, INC, LLP
verification of LLC, LLP, or Incorporation if applicable, including list of officers	required	required	required
EIN number; or “certification of no employer identification number” form ITD3823	required	required	required
personal histories completed for owners and sales personnel	required	required	required
attended 8 hour pre-licensing course and passed the test within the last 6 months	required	n/a	required

7. Dealership License Renewals

Form Number: ITD3180

Idaho Code: Title 49, Chapter 16

General:

ITD sends dealership license renewal applications to all licensed Idaho vehicle dealers about 45 days before their previous license expires.

Dealers must submit the completed application, required documents and payment of all applicable fees to ITD before their license expires. No sales can be contracted without a valid dealership license.

If all the required documents and fees have been received, we process the renewal. [**\(Ctrl+click here for processing information\)**](#)

If there are missing items, we work with the dealer to get the renewal formalities completed.

The required documents and fees are listed below.

Contents, Application, Fees:

Document Type	Contents/ Requirements	Fees
Renewal application	Found on form ITD3180: <ul style="list-style-type: none"> • current dealership information • space to note changes to this information • space for sales verification numbers • field for continuing education attendance • field Y/N for liability insurance compliance • fields for various fees: <ul style="list-style-type: none"> - license renewal - ICAR (for all retail dlrs, but <u>not</u> for wholesale dlrs) - plates renewals 	\$175.00\$30 0.00 (see below)
Continuing Education Credits	<ul style="list-style-type: none"> • At least 1 owner or designated corporate substitute of every Idaho wholesale or retail vehicle dealership that is not a franchise dealership must attend a continuing education class once a year before their license renewal is due, and will receive 4 education credits for it. <u>(Ctrl+click here for corporate substitution information and processing)</u> • We do NOT renew any dealer license when this requirement is not fulfilled. 	

Bond	<p>We must have on file with us:</p> <ul style="list-style-type: none"> ➤ a valid bond-\$20,000 for retail dealers or \$40,000 for wholesale dealers ➤ a valid bond rider for all location or name changes ➤ or a signed notice if dealer was allowed to cancel their bond and revert to ICAR only 	
Liability insurance	<p>All dealers must provide a copy of a valid Certificate of Liability Insurance stipulating:</p> <ul style="list-style-type: none"> ➤ correct business name and location ➤ “any auto” and/or “Idaho Code 49-1608A” and/or insured amounts in excess of \$500,000 	
Plates order page <ul style="list-style-type: none"> ➤ dealer plates 	<p>Dealer plates:</p> <ul style="list-style-type: none"> • their number is calculated per sales during the previous 12 months ➤ the first 2 dealer plates are allocated regardless of the dealer’s sales numbers ➤ additional plates are allocated for every 10 additional sales beyond the first 20 sales <ul style="list-style-type: none"> ○ fees: <ul style="list-style-type: none"> - new dealer plates of all sizes - dealer plate renewals for all sizes 	\$23.00 \$15.00
Plates order page <ul style="list-style-type: none"> ➤ loaner and laden plates 	<p>Dealers can order/renew any number of loaner and/or laden plate, regardless of sales numbers.</p> <ul style="list-style-type: none"> ○ fees: <ul style="list-style-type: none"> - new loaner plates of all sizes - loaner plate renewals - new laden plates - laden plates renewals 	\$81.00 \$73.25 \$181.00 \$172.65
Salesperson/owner/officer renewal page	<p>Dealers, owners and salespersons associated with the dealership in our files are listed on this page. All owners/dealers need to have a valid sales ID (or submitted a renewal application) or we cannot process the dealership license renewal.</p> <p>The dealer needs to take the following actions:</p> <ul style="list-style-type: none"> • dealer/owner name(s) highlighted in yellow and showing a status of “expired” or “clear” but expiring soon <ul style="list-style-type: none"> ➤ need to submit form ITD3171, completed and signed • salesperson who continues being employed by this dealership, whose name is highlighted in yellow and showing a status of “expired” or “clear” but expiring soon <ul style="list-style-type: none"> ➤ needs to submit form ITD3171, completed and signed 	

	<ul style="list-style-type: none"> • salesperson who is not employed by this dealer anymore, whose name is highlighted or not, showing any status <ul style="list-style-type: none"> ➤ dealer needs to cross out name on the list • salesperson who continues being employed by this dealership, whose name is highlighted in yellow and showing a status of “pending” <ul style="list-style-type: none"> ➤ needs to obtain a permanent salesperson license at their local DMV • salesperson/dealer/owner whose names are not highlighted <ul style="list-style-type: none"> ➤ no action is required • fees: <ul style="list-style-type: none"> ○ salesperson renewal ○ dealer/owner renewal ○ fee to be paid at the local DMV for the permanent license 	26.00 no charge (\$10.00)
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8. Dealership Location Change Application

Form Number: ITD3170

Idaho Code: 49-1602(4)(i)(6)+(8); 49-1612(1)+(2)

General:

When a dealer moves his/her business to another location, s/he must inform the Department immediately of this move and provide the necessary paperwork:

- application ITD3170 completed, signed and notarized
- zoning approval
- a bond rider for the new location (unless dealer has reverted to ICAR coverage only)
- a certificate of liability insurance showing the new address
- revised franchise agreement(s) if applicable, adhering to the 10 miles restriction
- a fee of \$44.00

Besides submitting the paperwork and fee, the dealer must also install a sign at the new location, reflecting the new address.

Once we have received all of the completed paperwork and fee, a motor vehicle inspector must inspect the new location and approve it. It is only after his/her approval that we will reprint the dealership's license for the new location.

9. How to Enter Continuing Education Credits

Shortly after a continuing education class has taken place, we receive two lists from the Idaho State Independent Auto Dealers Association: one is the sign-in list, the other one is the sign-out list of that class. Dealers must have signed both lists in order to qualify for their continuing education credits.

The person from the dealership who takes the course needs to be listed either as owner or as a corporate substitute. If the person who took the course is neither one, s/he will not qualify for receiving the continuing education credit.

There are two methods for entering continuing education credits into Extra: with or without Macros.

10. Off-Site Temporary Supplemental Lot License

Form Number: ITD3198

Idaho Code: 49-121; 49-1607(1)(f)

General:

Temporary Supplemental Lot means a location other than the principal place of business, or other than a supplemental lot within the same or adjacent county as the principal place of business. A dealer can obtain an Off-Site Temporary Supplemental Lot License to conduct business for a maximum of 10 days and for a specific purpose such as auto shows, auctions, shopping center promotions, tent sales, etc.

The requirements for a Temporary Supplemental Lot comprise appropriate zoning. The lot could be in any county (the adjacent county restriction does not apply if the dealer holds the franchise for the products to be displayed or sold and has approval from the manufacturer(s).)

Non-franchised dealers are permitted to temporarily display or sell their products within a 175 mile radius of their principal place of business, upon approval by the Department.

The cost of an Off-Site Temporary Supplemental Lot License is:

- \$44.00 for any individual dealer, or

· \$88 for a group of 2 or more dealers

11. Idaho Manufacturer/Distributor Representative Application

Form Number: ITD3181

Idaho Code: 49-1602(4)(f); 49-1606(6);49-1607(d); 49-1613

General:

Any person who is a representative of an Idaho manufacturer or distributor must be duly licensed by the Department.

Idaho manufacturer/distributor representative licenses must be renewed at the same time as the manufacturer's license is renewed: at the end of the calendar year.

A new representative license applicant must fill out form ITD3181 and the sponsoring manufacturer must co-sign it.

However, we process renewals simply by renewing the representatives listed on the Idaho manufacturer/distributor's license renewal application, unless their names have been crossed out or the fees paid do not match the number of representatives listed.

The fee for a new Idaho manufacturer/distributor/factory representative license as well as for a renewal is \$44.00.

12. Idaho Manufacturer/Distributor License - New

Form Number: ITD3172

Idaho Code: 49-1606(4)(5)

General:

Below is a list of all the documents, information and fees that are required for a new Idaho manufacturer/distributor license.

If all the required documents and fees have been received, we process the application. If there are missing items, we advise the manufacturer in order to help him/her getting all the formalities completed.

Type of Document, Information or Fee	Manufacturer	Distributor
name: manufacturer should check with us if their chosen business name is not already taken before completing any paperwork	required (however, most of the time they skip this step)	required (however, most of the time they skip this step)
application ITD3172 completed and notarized	required	required
commercial zoning approved (application page 2, bottom)	required	required
certificate of liability insurance covering correct business name and location, plus “any auto” or “Idaho Code 49-1608A”	required	required
certificate of assumed business name from Secretary of State	required	required
verification of LLC, LLP, or Incorporation if applicable, including list of officers	required	required
EIN number; or “certification of no employer identification number” form ITD3823	required	required
factory representative (FREP) application must be completed for owners and sales personnel, form ITD3181	required	required
MSO/MCO sample of product(s) or VIN configuration	required	required
Manufacturer's agreement letter that they are allowed to distribute a certain product over a certain territory		required
Application fee for new license	\$190.00	\$190.00

<p>Note: Idaho manufacturers can order dealer plates. There is no limit as to how many dealer plates they may order, and they don't have to justify a certain number of sales in order to qualify for plates.</p>		
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13. Laden Plates

Form Number: Dealer Annual License Renewal – plate order page or ITD3635 (same form as for dealer plate orders)

Idaho Code: 49-1627, 49-1628, 49-411

General:

The Idaho Code specifies who may use laden plates, for how long, in what situations, and what type of ID must be carried while driving with laden plates. Please see table below for exact usage of Idaho laden plates.

In fact, the use of laden plates by Idaho dealers and manufacturers is quite restricted. Therefore, please see second table (below) listing the instances in which laden plates may not be used.

Idaho dealers and Idaho manufacturers may, both, order laden plates. They may order an unrestricted number of laden plates.

Laden plates will typically be renewed when the dealer/manufacturer renews their license. However, dealers/manufacturers sometimes order laden plates during their licensing period. In that case, we will not prorate the fee but charge the full amount.

14. Dealer/Owner and Salesperson Application

Form Number: ITD3171

Idaho Code: 49-1601; 49-1602; 49-1606(2)(7); 49-1607(4); 49-1611; 49-1635; 49-1418

General:

Any person of 18 years of age or older who is employed by a licensed Idaho vehicle dealer can obtain a salesperson license.

The dealer must co-sign the application and, by doing so, certifies that s/he deems the applicant suitable for a salesperson position.

A salesperson/owner/dealer must be able to produce his/her temporary or permanent salesperson license at all times while engaging in selling vehicles.

We process dealer/owner/salesperson licenses upon receipt of application and payment (if applicable).

License types, fees, applications:

Type	Fee	Comment
Full-time salesperson, original application	\$26.00	30 hours or more per week
Full-time salesperson, renewal	\$26.00	30 hours or more per week
Part-time salesperson, original application	\$26.00	less than 30 hours per week
Part-time salesperson, renewal	\$26.00	less than 30 hours per week
Owner/officer/dealer, original application	no charge	
Owner/officer/dealer, renewal	no charge	
Inactive owner/officer/director, original app.	\$26.00	no ID will be printed (no ID needed)
Inactive owner/officer/director, renewal	\$26.00	no ID will be printed (no ID needed)
Temporary off-site sales license	\$26.00	no ID will be printed; is valid for 30 days only
Duplicate license	\$18.00	
Cancellation of a salespersons license	no charge	

15. Loaner Plates

Form Number: ITD3169

Idaho Code: 49-1628, 49-412

General: The Idaho Code specifies who may use loaner plates, for how long and when, in what situation, and what type of ID must be carried while driving with loaner plates. **Please see table below for exact usage of Idaho loaner plates.**

Idaho dealers can order as many loaner plates as they want and pay registration for the number of months until their next dealership license renewal. When they order loaner plates with their renewal, they will, of course, pay for a whole year. We receive plate orders as follows:

- loaner plate renewals submitted together with the dealership license renewal
- separately submitted new or renewal loaner plate orders with form ITD3635

It can happen that a dealer loses the sticker or the registration (which needs to be carried when driving with a loaner plate), he can order each item separately with form ITD3195.

Lawful Use of Loaner Plates

Who may use them?	For what?	For how long? When?	ID that must be carried
Customer of Dealership	vehicles loaned by dealership	during repair of own vehicle	<ul style="list-style-type: none"> • liability insurance card • registration document issued with the loaner plate • authorization document from dealer showing user’s and dealership’s names, number of plate, dates of authorized use, and dealer’s signature

16. Out-Of-State Distributor/Manufacturer’s Representative (FREP) License

Form Number: ITD3188 (lower part of the application)

Idaho Code: 49-107(2); 49-1602(4)(f)

General:

As per Idaho Code, a "factory representative" means any person and each officer and employee engaged as a representative of a manufacturer of vehicles or by a factory branch for the purpose of making or promoting a sale of their vehicles, or for supervising or contacting their dealers or prospective dealers.

Since we typically renew out-of-state manufacturer/distributor licenses at the end of each calendar year, we generally renew their representatives at the same time. We need much less paperwork for FREPs than for Idaho dealer salespersons.

There are two ways by which we receive FREP renewals:

- on the out-of-state manufacturer/distributor renewal application (bottom left) at the end of the calendar year
- with an individual application (lower part of application) at any time of the year

We may also receive new FREP applications with form ITD3188 at any time of the year.

However, any renewal or new FREP license is only valid until the end of the calendar year and must be renewed (if applicable) together with the out-of-state manufacturer/distributor license (which renews at the end of the calendar year).

The fee for all FREP licenses, regardless of their duration, is \$44.00.

17. Returned Permanent Salesperson ID's

When we receive a permanent salesperson ID in return, the dealer who returned it may or may not include the information whether the person still works for the dealership or not.

- The case could be that the salesperson doesn't work for the dealership anymore and we have not (yet) received information that s/he has started working for a different dealership, if – in fact – s/he continues working as a salesperson.
- Or, in a different case, we may not know the exact reason why we've received the salesperson ID in return because the dealer did not let us know.

Either way, the sales ID belongs to the salesperson as long as it is valid and the salesperson might and can claim it at a later date.

