



DEALER ADVISORY BOARD

Purpose

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

Legal Authority

- Idaho Code 49-1602(7) – Idaho Transportation Department shall provide regular meetings of the Dealer Advisory Board.
- Idaho Code 49-1602(9) – Idaho Transportation Department shall seek and consider the Dealer Advisory Board's recommendations and comments regarding proposed rules promulgated for the administration of the provisions of this chapter.
- Idaho Code 49-1602(10) – Idaho Transportation Department shall require the attendance of 1 to 3 members of the Dealer 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 49-1608D, E, F- Establishes authority of the Idaho Consumer Asset Recovery Board to distribute funds for claims and to set annual Idaho Consumer Asset Recovery fee amounts as prescribed in these sections.
- 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.

On behalf of the Director, all Idaho Transportation 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 matters concerning dealers and salesmen licensing activities in the state of Idaho, the Idaho Transportation Department requests the Dealer Advisory Board to function in the following manner:

- Provide industry perspective and advice to the Division of Motor Vehicles regarding matters concerning the dealer and automotive industry in Idaho.
- Advise the Division of Motor Vehicles regarding proposed rules and legislation concerning the dealer and automotive industry in Idaho.
- Attend administrative hearings on dealer and salesmen revocation, suspension, cancellation, or denial activities as requested.
- Act as the Idaho Consumer Asset Recovery Fund Control Board to administer payouts of claims to the



Idaho Consumer Asset Recovery fund per Idaho Code 49-1608F. The Idaho Consumer Asset Recovery Fund Control Board sets the fee amount for dealers to remit to the fund annually.

Dealer Advisory Board Membership

Selection and appointment shall be made solely with regard to the best interests of the various functions of the Dealer Advisory Board. Each member at the time of his/her appointment shall be a citizen and resident taxpayer of the state of Idaho.

The Dealer Advisory Board shall be composed of eleven members. All members shall be knowledgeable and have experience in dealer and salesmen licensing. Five (5) members shall be appointed from licensed dealers selling new vehicles, four (4) members appointed from licensed dealers selling used vehicles, one (1) member shall be appointed from licensed dealers selling new recreational vehicles and one (1) member shall be appointed to represent new and used motorcycle and ATV dealers.

The Governor shall appoint the Dealer Advisory Board members for terms of three years. The term of each member shall begin immediately upon his appointment and qualification.



L. Scott Stokes
Director



Date