

Enrolled
House Bill 2437

Sponsored by Representative GARRARD; Representative SCHAUFLEER (at the request of Oregon Vehicle Dealer Association)

CHAPTER

AN ACT

Relating to vehicle dealer certificates; amending ORS 822.027.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 822.027 is amended to read:

822.027. (1) Except as provided in subsection (2) of this section, the following education requirements apply to an applicant for a vehicle dealer certificate under ORS 822.020 or 822.040:

(a) An applicant for a vehicle dealer certificate under ORS 822.020 must complete a minimum of eight hours of approved education programs described in subsection (4) of this section and pass a test **within one year** prior to submitting an application for the certificate; and

(b) An applicant for a renewal certificate under ORS 822.040 must complete a minimum of five hours per year in a licensing period of approved continuing education programs described in subsection (4) of this section prior to submitting an application for the renewal certificate.

(2) The education requirements in subsection (1)(a) of this section do not apply to an applicant for a vehicle dealer certificate under ORS 822.020 or 822.040 if, at the time of application, the applicant holds another certificate issued under ORS 822.020 or 822.040.

(3) The continuing education requirements of subsection (1)(b) of this section do not apply to an applicant for renewal of a vehicle dealer certificate under ORS 822.040 if the applicant is:

(a) A dealer having a franchise in this state for nationally advertised and recognized motor vehicles;

(b) A dealer having a franchise in this state for new recreational vehicles;

(c) A motor vehicle rental company having a national franchise under the ownership of a corporation that operates throughout the United States; or

(d) A national auction company that holds a vehicle dealer certificate and a dismantler certificate whose primary activity in this state is the sale or disposition of totaled vehicles.

(4) Education programs and the test required in subsection (1) of this section may be developed by any motor vehicle industry organization including, but not limited to, the Oregon Independent Auto Dealers Association and shall be submitted to the advisory committee established under ORS 802.370 for approval. The committee shall approve any program or test that pertains to the motor vehicle industry and includes state and federal law in at least the following areas:

(a) Motor vehicle advertising;

(b) Odometer laws and regulations;

(c) Vehicle licensing and registration;

(d) Unlawful dealer activities;

(e) Environmental rules and regulations;

- (f) Oregon and industry standard motor vehicle forms;
- (g) Truthful lending practices;
- (h) Motor vehicle financing;
- (i) Service and warranty contracts; and
- (j) Land use regulations governing motor vehicle dealers.

(5) Education programs and the test required in subsection (1) of this section may be provided by accredited educational institutions, private vocational schools, correspondence schools or trade associations if the education programs and test have been approved by the advisory committee established under ORS 802.370 as required in subsection (4) of this section.

Passed by House March 21, 2007

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 Chief Clerk of House

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 Speaker of House

Passed by Senate May 18, 2007

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 President of Senate

Received by Governor:

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Approved:

.....M,....., 2007

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 Governor

Filed in Office of Secretary of State:

.....M,....., 2007

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 Secretary of State