

**PROPOSED AMENDMENTS TO
A-ENGROSSED SENATE BILL 613**

1 On page 1 of the printed A-engrossed bill, delete lines 5 through 25 and
2 insert:

3 **“SECTION 1.** ORS 822.027 is amended to read:

4 “822.027. (1) Except as provided in [*subsection (2)*] **subsections (2) and**
5 **(3)** of this section, the following education requirements apply to an appli-
6 cant for a vehicle dealer certificate under ORS 822.020 or 822.040:

7 “(a) An applicant for a vehicle dealer certificate under ORS 822.020 must
8 complete a minimum of eight hours of **courses in any** approved **precertif-**
9 **ication** education [*programs*] **program** described in subsection (4) of this
10 section and pass [*a test*] **the tests required under paragraph (c) of this**
11 **subsection** within one year prior to submitting an application for the cer-
12 tificate; [*and*]

13 “(b) An applicant for a renewal certificate under ORS 822.040 must, **for**
14 **each year of a certification period**, complete a minimum of [*five*] **four**
15 hours [*per year in a licensing period*] of **courses in any** approved continuing
16 education [*programs*] **program** described in subsection (4) of this section **and**
17 **pass the tests required under paragraph (c) of this subsection** prior to
18 submitting an application for the renewal certificate. **An applicant may**
19 **not repeat a course in an approved continuing education program for**
20 **which the applicant previously obtained credit within the same certif-**
21 **ication period; and**

22 “(c) **For each course hour required under paragraphs (a) and (b) of**

1 **this subsection, the provider shall administer a test and the applicant**
2 **must pass each test with a score of at least 70 percent in order to re-**
3 **ceive credit for the course hour. Each test must contain at least 10**
4 **questions.**

5 “(2) The **precertification** education requirements in subsection (1)(a) of
6 this section do not apply to an applicant for a vehicle dealer certificate un-
7 der ORS 822.020 or 822.040 if, at the time of application, the applicant holds
8 another certificate issued under ORS 822.020 or 822.040.

9 “(3) The continuing education requirements of subsection (1)(b) of this
10 section do not apply to an applicant for renewal of a vehicle dealer certifi-
11 cate under ORS 822.040 if the applicant is:

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

14 “(b) A dealer having a franchise in this state for new recreational vehi-
15 cles;

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

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

22 “(4) **Precertification and continuing** education programs and the [test]
23 **tests** required in subsection (1) of this section may be developed by any
24 motor vehicle industry organization including, but not limited to, the Oregon
25 Independent Auto Dealers Association [and]. **Each education program**
26 shall be submitted to the advisory committee established under ORS 802.370
27 for approval **every two years**. The committee shall **vote to approve or deny**
28 **approval of each program** [any program or test that pertains to the motor
29 *vehicle industry and includes*]. **A program that is approved must cover**
30 state and federal law in at least the following areas:

- 1 “(a) Motor vehicle advertising;
2 “(b) Odometer laws and regulations;
3 “(c) Vehicle licensing and registration;
4 “(d) Unlawful dealer activities;
5 “(e) Environmental rules and regulations;
6 “(f) Oregon and industry standard motor vehicle forms;
7 “(g) Truthful lending practices;
8 “(h) Motor vehicle financing;
9 “(i) Service and warranty contracts; and
10 “(j) Land use regulations governing motor vehicle dealers.

11 “(5) **Precertification and continuing** education programs [*and the test*]
12 required in subsection (1) of this section may be provided by accredited ed-
13 ucational institutions, private vocational schools, correspondence schools or
14 trade associations if the education programs [*and test*] have been approved
15 by the advisory committee established under ORS 802.370 as required in
16 subsection (4) of this section.

17 “(6) **The approval of an education program under subsection (4) of**
18 **this section expires two years from the date of the approval.”.**

19 On page 2, delete lines 1 through 33.

20 On page 5, delete lines 9 through 14 and insert:

21 “**SECTION 5. (1) The amendments to ORS 822.020, 822.025, 822.027**
22 **and 822.040 by sections 1 to 4 of this 2013 Act apply to applications for**
23 **issuance or renewal of a vehicle dealer certificate submitted on or af-**
24 **ter the effective date of this 2013 Act. However, a vehicle dealer certi-**
25 **fied as of the day immediately preceding the effective date of this 2013**
26 **Act shall continue to be governed by ORS 822.020, 822.025, 822.027 and**
27 **822.040 as in effect immediately before the effective date of this 2013**
28 **Act until the expiration of the vehicle dealer certificate.**

29 “(2) **Precertification and continuing education programs described**
30 **in ORS 822.027 that were approved before the effective date of this 2013**

1 **Act continue to be deemed approved until December 31, 2015.”.**

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