

# Dealer Details

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Form 735-7022 (11-2018)

## Dealers to see changes at DMV in January 2019

The Oregon Dealer Advisory Committee (ODAC) held its final quarter meeting for the year on Oct. 25, and received updates on DMV's Service Transformation Program (STP) and the Department of Revenue's privilege tax program.

Representatives from Oregon Department of Revenue (DOR) shared with ODAC that as of August 2018, \$13 million has been collected by DOR from the privilege tax (0.5 percent of retail price of taxable vehicles). DOR was able to transfer just over \$10 million to the zero-emissions fund administered by the Department of Environmental Quality (DEQ) for the electric vehicle rebate program.

Dealers are required to report the amount of taxable sales for the third quarter by Oct. 31, 2018, so details were not available at the October meeting.

Karen McCarty, STP Business Manager, along with David Parker, FAST Project Manager, provided an update regarding DMV's computer system changes that pertain to vehicle dealers.

With DMV's new computer system OLIVR, which will go live Jan. 22, 2019, dealers will have the ability to upload their Notice of Sale and dealer stock flags (forms 735-165 and 735-6890) online. Dealers will have the option to enter manually or to upload a spreadsheet using a standard format.

With the new system, information

will be available in real time, so dealers will no longer be required to keep a paper copy. This is only true for transactions entered online. This change will help dealer investigators access the information from their laptops as they complete their inspections.

This change will provide an almost instant access to the data, and there will no longer be a seven-day delay for the information to be available for review. This change, however, could impact timing of remedies if a vehicle sale unwinds.

Accounting practices will also be changing. In the future, dealer payments by check for transactions will be deposited even if the paperwork is not complete and finalized. If a dealer overpays, they may request a refund. STP and FAST are in the process of figuring out how to electronically notify dealers when batches are completed.

DMV is creating an online, fillable pre-application form for dealers to use when they submit paperwork for processing. The form should be ready by the go-live date if not sooner. Field offices will continue to work with title clerks to remedy shortages, and DMV Field Services is revising policy and procedures to reflect the new process.

With the new vehicle registration system going online in January 2019, registration cards will be printed at DMV field offices and

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# Handbook updated as of November 2018

The November 2018 revision of the Title and Registration Handbook is available to view, print, or copy at DMV's website [www.oregondmv.com](http://www.oregondmv.com).

This revision updates the August 2018 handbook. The handbook is normally updated quarterly, and the next revision is scheduled for February 2018. You may buy a printed copy from one of these organizations:

- Oregon Independent Auto Dealers Association (OIADA), 1-800-447-0302; [info@OIADA.com](mailto:info@OIADA.com); or [www.oiada.com](http://www.oiada.com)
- Oregon Vehicle Dealers Asso-

ciation (OVDA), 1-877-541-2277; [ovda@ordealers.com](mailto:ovda@ordealers.com); or [www.ordealers.com](http://www.ordealers.com)

Changes in the November 2018 Handbook revision are as follows:

**Cover Page** – The cover page reflects the latest revision date of 11-18.

**Chapter J, Damaged/Totaled Vehicles** – The Notice of Vehicle to be Dismantled/Proof of Compliance, Form 6017, is no longer available online. These forms can be obtained from a DMV office.

When a vehicle is totaled, the plates and registration are cancelled and are no longer valid.

**Chapter O, Tow/Recovery Vehicles** – The Application for Tow or Recovery Vehicle Business Certificate, Form 387, has been replaced with the latest revision dated 06-18.

**Chapter R, Dealers** – DMV offices are generally limiting dealer packages to five transactions per check. However, some offices may accept up to 10 transactions per check. Dealers may want to ask their local office to confirm the amount of transactions they can submit per check.

– *Dave Adams*  
*Vehicle Policy*

## CONTINUED: Dealers to see changes at DMV in 2019

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given to customers as part of the dealer transaction. The new registration information will be available instantly. This is helpful for the dealer's customer (convenience) and for law enforcement (tracking). For transactions going through EVR, the registration cards still will be mailed by DMV.

STP will be sending a letter to all dealers in January with a special web personal identification number (PIN) that will allow dealers to establish their log-on in the DMV2U portal. DMV2U is where all the dealer functions will happen. Initially, only the Notice of Sale and dealer stock will be available through this portal.

The letter will be sent to the address DMV's Business Licensing Unit has on file for each dealer.

**Make sure that DMV has your current business and mailing address!**

The letter will explain how to use the special web PIN to log on and

### Verify your address!

It is very important that you ensure your mailing address and contact information are current with DMV Business Licensing. DMV is mailing important information on upcoming changes and on how to use new online services.

Please make sure your business address DMV has on file is correct as soon as possible.

– *DMV Business Licensing*

establish the master account. The primary manager will be responsible for assigning log-on information for each person they allow to access the portal. Dismantlers will be given the same access for their 270 transactions, but that will not be available with the Jan. 22 rollout.

Please read previous Dealer Details and Shifting Gears newsletter that is produced by STP for more information about DMV's computer

system changes, both available online at: [www.oregon.gov/ODOT/DMV/Pages/Dealers/dealerdetails.aspx](http://www.oregon.gov/ODOT/DMV/Pages/Dealers/dealerdetails.aspx) and [www.oregondmv.com](http://www.oregondmv.com).

On a sad note, Monty King passed away at the end of August 2018. He was founder and president of the Oregon Vehicle Dealers Association, as well as the Oregon Power Sports Association and the Auto Appraisers of Oregon. There were remembrances shared during the meeting.

Monty was a driving force behind dealer education and very instrumental with dealer-related laws being passed. He will be fondly remembered as a person who did not mind inserting himself into any conversation pertaining to vehicle dealers. Monty will be truly missed.

Everyone is welcome to attend the next ODAC meeting, which will be held from 9 a.m. to noon Jan. 24, 2019, at DMV Headquarters, 1905 Lana Ave. NE, Salem.

– *Susan Thayer*  
*ODAC Chair*

# Dealer Sanctions

Dealer	City	Violations Found	Offense	Count	Amount
<b>Civil Penalties</b>					
Ricky James Ellis	Happy Valley	Acting as a vehicle dealer without a current dealer certificate	1	10	\$25,000
Paul Allen Ritter	Portland	Acting as a vehicle dealer without a current dealer certificate	1	10	\$25,000
Dino Marsango	White City	Acting as a vehicle dismantler without a current dismantler certificate	1	1	\$2,500
Ken Heffner	Aurora	Acting as a vehicle dealer without a current dealer certificate	1	7	\$17,500
Ashley LeAna Singler	Springfield	Acting as a vehicle dealer without a current dealer certificate	1	10	\$25,000
Alexsi Henriquez-Romero	Vancouver WA	Acting as a vehicle dealer without a current dealer certificate	1	8	\$20,000
Steven Neal Mitchell	Bend	Acting as a vehicle dealer without a current dealer certificate	1	10	\$25,000
Patricia Esperanza Guardiola	Portland	Acting as a vehicle dealer without a current dealer certificate	1	11	\$27,500
Glasgow Motors LLC	Portland	Failure to obtain corrected dealer certificate	1	1	\$500
(3 YR Suspension)		Failure to obtain supplemental certificate for each location dealer sells or displays	1	2	\$1,000
Bridgetown Garage LLC	Portland	Failure to allow an administrative inspection	1	1	\$1,000
(3 YR Suspension)					
P and R auto Brokers LLC	Portland	Failure to allow an administrative inspection	1	1	\$1,000
(3 YR Suspension)					
Carfordable LLC	Portland	Failure to submit fees and application to DMV within 30 days	2	6	\$1,500
(3 YR Suspension)		Failure to submit title to DMV within 90 days	1	1	\$1,000
		Failure to maintain proper records	2	6	\$1,500
		Failure to refund collected processing fees within 5 business days of discovery	1	1	\$250
		Failure to refund collected document processing fees within 5 days of discovery	2	3	\$750
Autobidmaster LLC	Portland	Failure to physically inspect a vehicle to verify its VIN	2	2	\$2,000
(1 YR Probation)		Knowingly making a false statement of material fact in a DMV document	2	2	\$2,000
		Failure to furnish title within 90 days of the date of sale	2	1	\$1,000
Extreme Auto Sales Inc	Portland	Failure to allow an administrative inspection	2	1	\$1,000
(1 YR Suspension)		Failure to provide means for public to contact dealer during normal business hours	2	1	\$500
		Failure to display exterior sign clearly visible to major avenue of traffic	2	1	\$500
Cascade Auto Inc	Portland	Failure to submit fees and application to DMV within 30 days	3	9	\$4,500
(3 YR Probation)		Failure to pay consignee within 10 days	2	1	\$500
Fast Traxx Auto LLC	Oregon City	Failure to provide means for public to contact dealer during normal business hours	2	1	\$250
(3 YR Suspension)		Failure to display exterior sign clearly visible to major avenue of traffic	2	1	\$250
		Moving location without submitting an application to correct dealer certificate	1	1	\$500
		Failure to maintain records at main business location	2	1	\$500
		Failure to obtain corrected dealer certificate	1	1	\$500
R and R Auto LLC	Portland	Failure to obtain corrected dealer certificate	1	1	\$500
(3 YR Suspension)					
Overdrive Auto Brokers LLC	Portland	Failure to submit fees and application to DMV within 30 days	4	7	\$7,000
(3 YR Suspension)		Failure to notify DMV of vehicle transferred to dealer within 7 days	3	4	\$400
PDX Used Cars LLC	Hillsboro	Failure to notify purchaser/lien holder of delay in title documents	3	7	\$1,750
(3 YR Suspension)		Failure to maintain proper records	3	7	\$3,500
		Failure to submit fees and application to DMV within 30 days	2	7	\$1,750
Mocks Ford Sales Inc	Grants Pass	Failure to maintain records of title submission delays	2	7	\$1,750
		Failure to remove and destroy registration plates	2	5	\$1,250
NW Metals Inc	Portland	Failure to submit Dismantler's Notice to DMV within 30 days	2	8	\$2,000

NOTE: Fines and sanctions for dealers and unlicensed dealers may not reflect settlements or judgments

## Your FEIN is required for online account

Before DMV can link a business account, DMV must first receive the Federal Employer Identification Number, or FEIN, for your business.

Please do not provide your Social Security Number.

For information on providing your business's FEIN, please contact DMV's Business Licensing Unit at 503-945-5052.

For more information or to apply for an FEIN, visit [www.irs.gov](http://www.irs.gov).

## No refunds processed Jan. 1-22

As DMV transitions to a new computer system, there will be no refunds processed Jan. 1, 2019, through Jan. 22, 2019.

You may still submit refund requests, and they will be processed after Jan. 22, 2019.

# Web tool to replace transaction notices

Online Oregon DMV Vehicle Dealer Transaction Notices will be replaced with a web tool that has exciting benefits starting Jan. 22, 2019.

The new online service will allow real-time verification and instant updates to DMV vehicle records.

To make this transition, the existing Dealer Notices web page will be decommissioned Feb. 4, 2019.

DMV will mail letters to dealers with instructions on how to access the new online service. The letter will explain to dealers how to set up and access the new online services, and it will include details and unique login

credentials for each affected dealer.

The letter will be mailed Jan. 22, 2019, after the dealer accounts are set up in the new system. The existing Dealer Notices web page will be available until February 4, 2019, to allow dealers time to receive the letter and create their new login. The existing page is posted at <https://dmv.odot.state.or.us/cf/dlrnotice/index.cfm?fuseaction=welcome>.

Dealers still will have the option of using the Dealer Notice of Vehicle Purchase (Form 165) and Notice of Vehicle Sale/Transfer (Form 6890). However, we are confident that once

dealers begin using the new online notice services, the benefits, such as the simplicity of uploading spreadsheets, real-time VIN validation, and instant updates to DMV records, will be appreciated.

If you have recently confirmed your current mailing address or contact information with DMV Business Licensing, be certain to check with Business Licensing. DMV is working hard to keep our services available during this transition, and we are committed to keeping you informed along the way.

– *Service Transformation Program*

## DMV Business Regulation introduces 2 new employees

DMV Business Regulation is welcoming two new employees:

- Esther Martinez joined the Business Regulation and Fraud Prevention Section as a Compliance Specialist 2 / Investigator in the Dealer Investigations Unit on Oct. 9.



**Esther Martinez**

She filled a vacancy in the Portland office and is covering Hood River and Wasco counties and the north half of Multnomah County.

Prior to coming to DMV, Esther worked as a Senior Investigator for the California Department of Consumer and Business Affairs for 11 years. As a Senior Investigator, Esther often worked independently but also led complex investigations in partnership with federal, state

and local regulatory agencies and prosecutors. She brings a wide range of experience in field investigations, records inspections, and education of businesses on compliance requirements.

- Cheryl “Sherry” McCarthy joined the Business Licensing Unit on Aug. 27. Sherry replaced retiree Susan Kanode, who had worked for DMV for almost 30 years. Sherry joins Karen White and Chris Parsons in assisting Business Licensing customers and DMV customers looking for a field office.

Sherry has 30 years of administrative, clerical and customer service experience, and brings a cohesive attitude to the unit that will help get the job completed. She’s worked at the Legislature, Oregon Department of Justice and most recently with a certified public accounting firm in Salem.

– *Business Regulation*

## Consignment laws apply to auctions too

Oregon Revised Statute 822.060 specifies some of the requirements when a certified vehicle dealer takes a vehicle on consignment, including for auction. Among other requirements, a dealer must:

- Put the terms of the consignment agreement in writing and provide a copy to the consignor. The agreement shall include a provision stating that if the terms of the agreement are not met, the consignor may file a complaint in writing with the Oregon Department of Transportation. (ORS 822.060(1)(c)).

- Make arrangement for the disposition of money from a consignment transaction with the seller at the time of establishing the written consignment agreement. (ORS 822.060(1)(h)).

Please review your business practices to ensure you comply with all dealer requirements. Violations of this or other statutes or administrative rules relating to vehicle dealers may result in administrative action.

– *Larry Purdy*  
*Chief of Investigations*