

by rule, defines as constituting an exemption under this section.

(c) A receiver, trustee, personal representative or public officer while performing any official duties.

(d) The lessor or security interest holder of a vehicle as shown by the vehicle title issued by any jurisdiction.

(e) Except as otherwise provided in this paragraph, a manufacturer who sells vehicles the manufacturer has manufactured in Oregon. Nothing in this paragraph prevents any manufacturer from obtaining a vehicle dealer certificate under ORS 822.020. This paragraph does not exempt a manufacturer who sells or trades campers or travel trailers.

(f) An insurance adjuster authorized to do business under ORS 744.505 or 744.515 who is disposing of vehicles for salvage.

(g) Except as otherwise provided in this paragraph, a person who sells or trades or offers to sell or trade a vehicle that has been used in the operation of the person's business. This paragraph does not exempt a person who is in the business of selling, trading, displaying, rebuilding, renting or leasing vehicles from any requirement to obtain a certificate for dealing in those vehicles.

(h) A person who is licensed as a vehicle dealer in another jurisdiction, or who is an authorized representative of a vehicle dealer licensed in another jurisdiction, and who:

(A) Participates with other dealers in a display of vehicles, including but not limited to an auto show, if the display is an event that lasts for 10 days or less and is an event for which the public is charged admission; or

(B) Participates in a vehicle auction conducted by a vehicle dealer who holds a vehicle dealer certificate issued or renewed under ORS 822.020 or 822.040, provided that only certified or licensed vehicle dealers and their authorized representatives are permitted to participate in the auction.

(i) A person who receives no money, goods or services, either directly or indirectly, for displaying a vehicle or acting as an agent in the buying or selling of a vehicle.

(j) A person who collects, purchases, acquires, trades or disposes of vehicles and vehicle parts for the person's own use in order to preserve, restore and maintain vehicles for the person's own use or for hobby or historical purposes.

(k) A manufactured structure dealer subject to the licensing requirement of ORS 446.671 or a person exempt from licensing under ORS 446.676 when selling a vehicle, trailer or semitrailer accepted in trade as part of a manufactured structure transaction. A manufactured structure dealership or exempt person may not directly sell more than three vehicles per calendar year under authority of this paragraph, but by consignment with a dealer certified under ORS 822.020 or 822.040 may sell an unlimited number of vehicles acquired as described in this paragraph.

(l) A lien claimant who sells vehicles in order to foreclose possessory liens.

(m) A lien claimant who, in a 12-month period, sells 12 or fewer vehicles that the lien claimant acquired through possessory liens if the vehicles are sold at the business location of the lien claimant.

(n) Electric personal assistive mobility devices.

(2) The department shall adopt rules to carry out the provisions of this section, including but not limited to specifying which dealers may take vehicles on consignment from other jurisdictions.



Do You Need To Be A Certified (Licensed) Vehicle Dealer In Oregon?



Civil Penalties and Fines Can Take a Bite Out of Profits!

Are you going to make \$5,000 profit when you sell that vehicle you just purchased? If not, read further!

Oregon Law generally allows only the owner of a vehicle as shown on the title to sell their vehicle without first obtaining an Oregon Vehicle Dealer Certificate (license). A non-licensed person selling a vehicle must have the vehicle **titled** to that person or business and **used** for personal, household, family, or business purposes.

Otherwise, unless exempted by law (ORS 822.015), a Vehicle Dealer Certificate is required for any person or entity buying, selling, brokering, trading or exchanging vehicles; offering, displaying or advertising a vehicle for sale; or acting as any type of agent for the seller or buyer of a vehicle.

Oregon law **does not** allow persons to buy and sell five vehicles per year without a valid dealer certificate. There are limited exceptions in law. (See ORS 822.005 and 822.015).

DMV can assess civil penalties up to \$5,000 per vehicle for violation of the licensing law. Also, it is a Class A Misdemeanor, punishable by a fine of up to \$6,250 and/or one year in jail.

Answers to some common questions:

Can I act as an agent for my family members to buy and sell cars on their behalf?

Acting as any type of agent for the buyer or seller of a vehicle requires a Vehicle Dealer Certificate unless you are not receiving any money, goods, or services directly or indirectly in return. This includes family members.

If I title the vehicle in my name can I then immediately resell it?

Titling a vehicle in your name to avoid dealer certification (licensing) requirements does not exempt you. You must be able to prove that you used the vehicle personally for your household, family, or for your business to be exempt from dealer certification requirements.

Can I allow persons to park vehicles on my property for sale?

The owner or lessor of real property must be a certified dealer if compensation of any type is received for the display of vehicles and the person represents the sellers or buyers of a vehicle in any way. This includes providing signs, answering questions regarding the terms of sale, showing the vehicle, cleaning or performing maintenance and repair of the vehicle, offering financing, or furnishing any title and/or registration forms.

If I am an agent or representative of a vehicle dealer licensed in another jurisdiction (state or country) can I buy and sell cars in Oregon using their license?

Although dealers from other jurisdictions may buy cars in Oregon, they generally may not sell cars in Oregon without a valid Oregon Vehicle Dealer Certificate. There are very limited exceptions for dealers participating in dealer shows or auctions.

How do I obtain a dealer certificate and what is required?

Visit the DMV website at www.oregondmv.com for more information and application forms, or contact the DMV Business Licensing Unit at 503-945-5052.

Basically you will need a Surety Bond, liability insurance coverage, and location approval from the city or county. You will also need to complete an 8-hour, pre-licensing education course. Courses are offered by several

approved providers. Contact information is available on the DMV website or by calling the DMV Business Licensing Unit.

Related Oregon Laws:

822.005 Acting as vehicle dealer without certificate; penalty. (1) A person commits the offense of acting as a vehicle dealer without a certificate if the person is not the holder of a valid, current vehicle dealer certificate issued under ORS 822.020 and the person:

- (a) Buys, sells, brokers, trades or exchanges vehicles either outright or by means of any conditional sale, bailment, lease, security interest, consignment or otherwise;
- (b) Displays a new or used vehicle, trailer or semitrailer for sale; or
- (c) Acts as any type of agent for the owner of a vehicle to sell the vehicle or acts as any type of agent for a person interested in buying a vehicle to buy a vehicle.

(2) This section does not apply to persons or vehicles exempted from this section under ORS 822.015.

(3) The offense described in this section, acting as a vehicle dealer without a certificate, is a Class A misdemeanor.

822.015 Exemptions from vehicle dealer certification requirement; rules. (1) In addition to any exemptions from the vehicle code under ORS 801.026, ORS 822.005 does not apply to the following vehicles or persons:

- (a) Road rollers, farm tractors, farm trailers, trolleys, implements of husbandry, emergency vehicles, well-drilling machinery and boat or utility trailers with a gross weight of 1,800 pounds or less.
- (b) The owner of a vehicle as shown by the vehicle title issued by any jurisdiction if the person owned the vehicle primarily for personal, family or household purposes. If the person has sold, traded, displayed or offered for sale, trade or exchange more than five vehicles in one calendar year, the person shall have the burden of proving that the person owned the vehicles primarily for personal, family or household purposes or for other purposes that the Department of Transportation,