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Charlotte Davidson, Bridge Engineering Unit

Updates from October 2024 Oregon Dealers Advisory Committee (ODAC) Meeting

OReGO - Oregon's Road Usage Charge Program

Scott Boardman, Policy Advisor with ODOT's Office of Innovative Funding, gave an update on the OReGO point-of-sale enrollment program. Through a consultant, OReGO conducted an online survey of Oregon dealers to gauge their overall understanding of the program. The survey included questions about the kinds of tools and training dealers need to inform customers of the vehicle registration choices available to them. In-depth one-on-one interviews were also conducted. OReGO received helpful feedback from those who participated. OReGO is working closely with their consultant to create materials for a pilot program that will include marketing materials, pamphlets for customers, and trainings for dealers.

Dale Geiger Retires

ODAC Chair Mike Wagner announced that the October 2024 meeting was Dale Geiger's last ODAC meeting as a member. Dale has worked with dealers since 1996 and is now retiring. Dale's career included working for DMV as a dealer investigator. He then worked for, and retired from, the Oregon Department of Justice in its Consumer Protection Section.

Dale's departure leaves a vacancy on ODAC - the General Public Representative position. Please share with others in vehicle-related industries that may consider becoming a committee member on ODAC.

Dealer Details



Tips and Reminders

From the Oregon Dealer Services Unit

Protecting Customer Information in Emails

While email correspondence can be convenient, it is not a secure file transfer method. Documents included in emails could be at risk if an email address is compromised. Dealers should not send any PII (Personal Identifiable Information) via email. PII can be defined as, 'two pieces of identifying information for any given customer'. For example, a customer's name and date of birth, or a customer's name and address. Never email a social security number (SSN).



Contents of a Bill of Sale

For a bill of sale to be acceptable, it must contain the following:

- A vehicle identifier (plate number, vehicle identification number [VIN] or title number). DMV must be able to identify the vehicle with the information provided.
- The date of sale.
- A statement of release or other indication that the vehicle was sold, or that ownership was transferred or released.
- The name and signature of the party releasing interest (seller).

A wholesale agreement, sales contract, or purchase agreement will not be accepted as a bill of sale. These documents typically lack a clear statement releasing interest.

The Fall of Mac RV Sales

From Dealer Investigations

In early 2020, DMV Business Regulation began receiving complaints about Mac RV Sales, an Oregon Certified Vehicle Dealer in McMinnville, OR. The complaints claimed the dealer had failed to submit required paperwork to DMV and delayed paying consignors for their vehicles. DMV Investigations confirmed the dealer had committed multiple violations. In March of 2021, DMV reached a settlement with Mac RV Sales which included a \$10,000 civil penalty and a 3-year suspension of their dealer certificate and the owner's right to apply for a new certificate.

Before the suspension took effect, Investigations inspected the dealership again and found it was still failing to follow requirements and had committed additional violations, breaking the settlement agreement. As a result, DMV proposed additional civil penalties of \$8,500 and permanent revocation of the dealer certificate and the owner's right to apply for a new certificate.

During the investigations of Mac RV Sales, DMV Investigations worked with a detective from the McMinnville Police Department who had started a criminal case against the dealership and its owner, Ruben Bernt. DMV Investigations staff helped by organizing and analyzing DMV documents necessary to support the criminal charges. DMV worked hard to process the Mac RV vehicle transactions to ensure accurate vehicle ownership records. The detective gathered evidence to pursue indictments against Bernt, and the lead DMV Investigator testified at a Yamhill County Grand Jury proceeding.

Following the indictments in 2023, the lead DMV Investigator testified at a jury trial on August 23, 2024. The jury convicted Ruben Bernt of 29 felony theft charges related to RV consignments. On August 27, 2024, Bernt was sentenced to 20 years in prison and ordered to pay \$700,000 in restitution. The sentence was increased because many of the victims were over 65 years of age.

Following the convictions, the DMV Investigations staff involved in the case received commendations from the Yamhill County District Attorney and the Detective for their contributions to the successful prosecution.



Pristine Auto Remarketing Tarnished Reputation

From Dealer Investigations

In early 2023, DMV Investigations received complaints about an Oregon Certified Dealer in Portland, Pristine Auto Remarketing, for failing to provide titles to customers or DMV on time. An investigation found the dealer had committed multiple violations, including:

- Failing to provide titles to DMV or the purchaser within 30 days
- Failing to provide titles to DMV or the purchaser within 90 days
- Failing to maintain proper records
- Failing to allow an administrative inspection
- Making false statements in DMV documents.

DMV pursued civil penalties and sanctions against the dealer, and a hearing was held at the Oregon Office of Administrative Hearings. On July 3, 2024, an Administrative Law Judge issued a final order, authorizing DMV to impose a civil penalty of \$12,250, suspension of the dealer certificate and the right of the owner, Mir "Niko" Iliifar, to apply for a new dealer certificate for a period of 3 years.

Before the suspension was finalized, additional complaints about Pristine Auto Remarketing led to an investigation uncovering additional violations, including:

- Failing to provide titles to DMV or the purchaser within 30 days
- Failing to provide titles to DMV or the purchaser within 90 days
- Failing to provide delay letters
- Failing to maintain proper records
- Issuing bad checks to DMV
- Allowing improper use of dealer plates
- Failing to allow an administrative inspection
- Making false statements in DMV documents

After another hearing in August 2024, the Administrative Law Judge issued a final order, authorizing DMV to propose a civil penalty of \$10,850, and a permanent revocation of the dealer certificate and the right of the owner, Mir "Niko" Iliifar, to apply for a new dealer certificate.

Low Emission Vehicle (LEV) Requirements

Reminder from Oregon Dealer Services

Starting with model year 2009, passenger vehicles with 7,500 miles or less on the odometer must meet Oregon's low emission vehicle (LEV) standards to be registered for the first time in the state. Some vehicles, like hybrids, electric vehicles, and those with E-plates are exempt from this requirement.

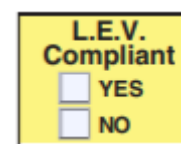
For a list of exemptions, refer to the Declaration of Exemption from the Oregon Low Emission Vehicle (LEV) Requirement (Form 735-7309).

Performing an LEV Inspection

Oregon Certified Dealers may verify the under-hood emission label for any vehicle in their stock.



The manufacturer permanently attaches the label to the vehicle, either in the engine compartment or on the engine itself. It can be a tag, sticker, or plate made of metal, plastic, or other material.



A dealership employee may certify that they have checked the under-hood label by using the LEV

checkboxes on the front of the Vehicle Identification Number (VIN) Inspection Form (Form 735-11).

Dealers cannot charge a fee to for verifying LEV compliance.

Updates to Dealer Handbook for November 2024



The November 2024 revisions of the [Title and Registration Handbook](#) are available at DMV's website www.oregondmv.com. The next revision is scheduled for January 2025.

Printed copies can be purchased from one of these organizations:

- Oregon Independent Auto Dealers Association (OIADA), 1- 800-447-0302; email: info@OIADA.com; <http://www.oiada.com/>
- Oregon Vehicle Dealers Association (OVDA), 1-877-541-2277; email: ovda@ordealers.com; www.ordealers.net

Changes in the November 2024 Handbook revision are as follows:

Cover Page - This page was updated to show the revision date of 11/2024.

Chapter E - Updated section regarding lienholder and security interest holder releases of interest for clarity.

Chapter G - Revised list of documents DMV can accept as proof of death. Clarified the information that must be present on a Vehicle Repossession Certificate (Form 735-263). Added clarifying language regarding transferring a title issued with survivorship.

Chapter H - Added to instructions regarding corrections made to Secure Odometer Disclosure and Secure Power of Attorney forms. Clarified odometer disclosure requirements for vehicle transactions submitted with a Manufacturer's Certificate of Origin (MCO) as the presented ownership document.

Chapter K - Revised section regarding DEQ requirements for clarity. Added information on OReGO program and cross-referenced Chapter M.

Chapter M - Added additional information on OReGO program.

Index - Added reference to OReGO with links to applicable chapters.



Dealer Details



The Missing Requirement Letter Process

Clarification for Dealers regarding the MRL Process

When a dealer mails in a vehicle title and/or registration transaction on behalf of a customer, and the transaction is incomplete, a missing requirements letter (MRL) is issued from DMV Headquarters detailing what is needed to complete the transaction. Oregon Dealer Services (ODS) makes every effort to send the MRL to the Oregon Certified Dealer first. This gives the dealer a chance to resolve any transaction issues without the need of involving our mutual customer.

However, there are times when a transaction receives a second audit as a quality control measure before the title can be issued. This secondary audit is referred to as "title review".

If the second audit reveals missing requirements that were not previously identified, the team will write the missing requirement letter directly to the customer(s) listed on the application. A courtesy copy will be provided to the Oregon dealer, as well as any listed lienholders, security interest holders and lessors.

While it is standard process for ODS to initially send the MRL only to the Oregon dealer, there will be times when missing requirements are not identified until the transaction has reached the title review team.

If you have any questions regarding an MRL or the MRL process, contact DMVDealerServices@odot.oregon.gov

"Blue Slips" Will Be Blue No Longer

Changes to the Dealer Service Checklist

Incomplete transactions submitted to a Dealer Service Center using a dealer box or smart locker are sometimes returned to the dealer box for pickup with a Dealer Service Checklist (Form 735-6485).

DMV DEALER SERVICE CHECKLIST		Filing Period: _____
DEALER	DEALER NUMBER	CUSTOMER NAME
<input type="checkbox"/> Ownership documents and check are being returned, in order to complete your transaction, please obtain the items checked below, in addition to the documents being presented, and return them to a DMV Dealer Center or mail them directly to: DMV Oregon Dealer Services 1905 LANA AVE NE SALEM OR 97314		<input type="checkbox"/> Ownership documents are being retained to note perfection of security interest. Please obtain other items checked below and mail them with this checklist to: DMV Oregon Dealer Services 1905 LANA AVE NE SALEM OR 97314
FEES		CERTIFICATIONS
<input type="checkbox"/> A total Fee of \$ _____ Paid by Check No. _____ <input type="checkbox"/> Additional Fee of \$ _____ Required <input type="checkbox"/> A Total Fee of \$ _____ Required <input type="checkbox"/> Fee Refunded: \$ _____ (Amount Refunded) (Dealer Transactions Only)		<input type="checkbox"/> Application for Title and Registration, Form 735-226 <input type="checkbox"/> Farm Certification Application, Form 735-9670 <input type="checkbox"/> Certification of Vehicle Date of Purchase, Form 735-6775 <input type="checkbox"/> Assembled, Reconstructed or Replica Vehicle Certification, Form 735-6511 <input type="checkbox"/> DEQ Certification or Exemption, Form 735-1400 <input type="checkbox"/> Proof of Use Tax Compliance
SIGNATURE(S)		ODOMETER DISCLOSURE
<input type="checkbox"/> Releasing Signature of Former Registered Owner Name: _____ <input type="checkbox"/> Releasing Signature of Security Interest Holder Name: _____ <input type="checkbox"/> Signature of _____ on Line _____ of Title. <input type="checkbox"/> Signature of Seller on MCO <input type="checkbox"/> Signature of _____ on Form Number _____		<input type="checkbox"/> Odometer disclosure required. Must be original or carbon copy (no photocopy). _____
DOCUMENTS		MISCELLANEOUS
<input type="checkbox"/> Title <input type="checkbox"/> Manufacturer's Certificate of Origin (MCO) <input type="checkbox"/> Bill of Sale From _____ to _____ <input type="checkbox"/> Secure Power of Attorney Exercised by _____ <input type="checkbox"/> Power of Attorney for _____ Exercised by _____ <input type="checkbox"/> Death Certificate <input type="checkbox"/> Inheritance Affidavit, Form 735-516 <input type="checkbox"/> Divorce Decree <input type="checkbox"/> Repossession Certificate <input type="checkbox"/> Secure POA and ODO <input type="checkbox"/> Error or Erasure Statement, Form 735-502 <input type="checkbox"/> App. for Replacement/Duplicate Title, Form 735-515 <input type="checkbox"/> Vehicle Plate Choice and/or Documentation <input type="checkbox"/> Vehicle Identification Number Inspection, Form 735-11 missing or mutilated.		<input type="checkbox"/> Address or Domicile Form, Form 735-7182 <input type="checkbox"/> Assignment of Vehicle Identification Number <input type="checkbox"/> Insurance Company Name and policy number
		COMMENTS:

COUNTER DATE STAMP	PLATE NUMBER OR VEHICLE ID NO.	TBR ID
735-6485 (8-23)		

In the past, these forms were printed on blue paper. To reduce costs, these forms will now be printed on white paper (as shown above).

Some dealers may continue to see blue forms until the current printed stock is depleted.

Dealer Details

HB 2007: Diesel Retrofit Requirement Changes

Coming to the Portland Metro Area in 2025

The 2019 Oregon Legislature passed [House Bill \(HB\) 2007](#) to reduce diesel emissions across the state. The bill established several phase-out deadlines, after which certain older diesel engine trucks cannot be titled or registered by [Oregon Driver and Motor Vehicle Services](#) or [Oregon Department of Transportation](#) unless retrofitted and certified by [Oregon Department of Environmental Quality](#).

Starting Jan. 1, 2025, truck owners with a residential or business address in Clackamas, Multnomah or Washington county will no longer be able to get a title for certain older diesel-powered trucks unless the vehicles are equipped with approved retrofits.

This includes:

- Medium-duty trucks with a gross vehicle weight rating of 14,001 to 26,000 lbs. with a model year 2009 or older diesel engine.
(Examples: box trucks, flatbed trucks and service trucks)
- Heavy-duty trucks with a gross vehicle weight rating over 26,001 lbs. With a model year 2006 or older diesel engine.
(Examples: dump trucks, cement trucks and tractor-trailers)



Kristin Classen, ODS

Diesel retrofit requirements are based on the owner's residential or business address on record with DMV, even if the truck is kept at a different address.

There are several exemptions to the diesel retrofit requirements, including:

- Antique vehicles
- Motor homes
- Farm tractors
- Farm-plated vehicles
- Ambulances
- Emergency vehicles
- Vehicles used to transport logs
- Vehicles used exclusively for training
- Carriers with a fleet size of five or fewer heavy-duty trucks
- Heavy-duty trucks operated for 5,000 miles or fewer on Oregon highways in one calendar year

If your diesel-powered truck is exempt from retrofit requirements, you must still provide an [exemption certification](#) when you apply for title and at every renewal.

If your diesel truck is subject to retrofit requirements, visit [DEQ's Diesel Retrofit Compliance Program](#). DEQ can refer fleet managers to vendors and other resources for more information, and grants may be available to help with costs.

Check with an [approved retrofit installer](#) as soon as possible to make sure your vehicle is retrofitted before the deadline. After completing the retrofit, sign a [Signature of Attestation](#), then fill out a [DEQ Retrofit Application](#). DEQ will review the application to make sure it meets all requirements. Once approved, DEQ will issue a certificate of compliance that allows you to proceed with registration renewal or title processes at DMV or CCD.

Visit the [Oregon Diesel Retrofit Compliance Program web page](#) for more information. For questions about titles and medium-duty vehicle registrations or exemptions, visit [DMV Titling and Registration](#); for questions about heavy-duty vehicle registrations or exemptions, visit [CCD diesel retrofit compliance](#).

Sanctions

Unlicensed Dealer / Dismantler	City	Violations Found	Offense	Count	Amount
Joseph Michael Sizer	Cornelius	Acting as a vehicle dealer without a current dealer certificate	1	10	\$25,000
Michael Shaun Stevens dba PNW Classic Trucks	Happy Valley	Acting as a vehicle dealer without a current dealer certificate	2	10	\$50,000
Adam Ricky Justin Ephrem dba PNW Classic Trucks	Portland	Acting as a vehicle dealer without a current dealer certificate	1	10	\$25,000
Atlay Vazquez-Martinez	Woodburn	Acting as a vehicle dealer without a current dealer certificate	2	10	\$50,000
Jason Scott Blankenship dba PDX Auto Center & Towing LLC	Portland	Acting as a vehicle dealer without a current dealer certificate	1	1	\$2,500
Moath Al Ratta dba ABS Auto Sales LLC	Portland	Acting as a vehicle dealer without a current dealer certificate	1	10	\$25,000
Nick Robert George	Clackamas	Acting as a vehicle dealer without a current dealer certificate	1	7	\$17,500
Stealth Recovery and Towing LLC	Eugene	Failure to maintain lien claimant records in a manner allowing for timely and efficient retrieval of any record requested by DMV for inspection	1	3	\$3,000

Note: Civil penalty amounts may not reflect settlements or judgments

Sanctions

Dealer / Dismantler	City	Violations Found	Offense	Count	Amount
Mike's Car Connection LLC (3 YR Suspension)	Medford	Failure to submit title, fees and all documents to DMV within 90 days	1	2	\$2,000
		Failure to satisfy interest in a vehicle within 15 days	1	1	\$1,000
		Failure to submit taxes/fees due this state with sale of vehicle	1	1	\$250
		Failure to allow an administrative inspection	1	2	\$2,000
		Failure to obtain a supplemental dealer certificate	1	1	\$500
		Failure to display an exterior sign that identifies the dealership	2	1	\$250
		Failure to provide means for public contact during normal business hours	2	1	\$250
Hermes Auto Inc (3 YR Suspension)	Shady Cove	Failure to allow an administrative inspection	1	2	\$2,000
		Failure to display the vehicle dealer certificate	2	1	\$250
		Failure to display permanently affixed exterior sign visible to major avenue of traffic	2	1	\$250
		Failure to provide means for public contact during normal business hours	2	1	\$250
Justin C Stevens dba Justin's RV's (3 YR Suspension)	Hillsboro	Failure to satisfy the interest of a dealer within 15 days	1	1	\$1,000
		Issuing DMV a dishonored check	1	5	\$5,000
		Failure to submit title, fees and all documents to DMV within 90 days	1	5	\$5,000
		Failure to maintain proper vehicle records	1	4	\$1,000
		Failure to notify DMV within 7 calendar days of the acquisition of an Oregon vehicle	2	5	\$250
Funtime RV LLC	Tualatin	Failure to submit title, fees and all documents to DMV within 90 days	2	5	\$5,000
Hope Auto Sale Corporation	Portland	Failure to maintain proper vehicle records	2	7	\$1,750
		Failure to maintain records of title delivery/submission	2	2	\$500
Power Auto Inc dba Power Kia Buick GMC	Salem	Failure to submit title, fees and all documents to DMV within 90 days	1	5	\$5,000

Note: Civil penalty amounts may not reflect settlements or judgments

Sanctions

		Failure to submit title, fees and all documents to DMV within 30 days	2	6	\$1,500
		Failure to maintain records of title delivery/submission	2	10	\$2,500
		Failure to provide written notification of title submission/delivery delays to the purchaser(s) and any security interest holder within 25 days after the sale	2	7	\$1,750
Family Size Motors LLC (3 YR Suspension)	Gladstone	Failure to submit title, fees and all documents to DMV within 90 days	2	10	\$10,000
		Failure to satisfy interest in a vehicle within 15 days	2	3	\$3,000
		Failure to satisfy the interest of a dealer within 15 days	1	1	\$1,000
		Failure to submit taxes/fees due this state with sale of vehicle	1	10	\$2,500
Dawn Motors LLC	Beaverton	Issuing DMV a dishonored check	1	5	\$5,000
		Failure to maintain proper vehicle records	2	1	\$250
		Failure to notify DMV within 7 calendar days of the acquisition of an Oregon vehicle	2	3	\$150
		Failure to notify DMV within 10 calendar days of the sale of a vehicle	2	3	\$750
Los Amigos Auto Sales LLC (3 YR Suspension)	Medford	Failure to allow an administrative inspection	1	1	\$1,000
		Failure to submit title, fees and all documents to DMV within 90 days	1	1	\$1,000
		Failure to display an exterior sign that identifies the dealership	2	1	\$250
		Failure to provide means for public contact during normal business hours	2	1	\$250
		Allow a non-employee to engage in dealer activity	1	1	\$250
Rustom Automotive III LLC dba Oregon Automotive	Hillsboro	Knowingly making a false statement of material fact in any DMV investigation	1	3	\$1,500
		Failure to submit title, fees and all documents to DMV within 90 days	1	4	\$4,000
		Signing a name on a certificate of title or any motor vehicle document used by DMV without first obtaining a properly signed Power of Attorney	1	1	\$500
Lynn and Son's Auto Group LLC	Eugene	Failure to submit title, fees and all documents to DMV within 90 days	1	2	\$2,000
		Failure to submit taxes/fees due this state with sale of vehicle	1	2	\$500
KC Cars Inc	Portland	Issuing DMV a dishonored check	2	3	\$3,000

Note: Civil penalty amounts may not reflect settlements or judgments

Sanctions

Hussen Fucharo dba A & H Auto Sales (3 YR Suspension)	Portland	Failure to obtain a corrected dealer certificate 3 days before location change	1	1	\$500
		Failure to provide means for public contact during normal business hours	2	1	\$250
		Failure to display an exterior sign that identifies the dealership	2	1	\$250
4X4&More LLC (3 YR Suspension)	Salem	Failure to allow an administrative inspection	1	1	\$0
		Failure to display an exterior sign that identifies the dealership	2	1	\$0
		Failure to display the vehicle dealer certificate in a publicly accessible and conspicuous manner	2	1	\$0
		Failure to provide means for public contact during normal business hours	2	1	\$0
World of RV's LLC	Salem	Failure to submit title, fees and all documents to DMV within 90 days	2	1	\$1,000
Crown Auto Sales LLC (3 YR Suspension)	Portland	Failure to furnish title to purchaser within 90 days	1	1	\$1,000
		Failure to provide written notification of title submission/delivery delays to the purchaser within 25 days after the sale	3	1	\$500
		Failure to allow an administrative inspection	1	1	\$1,000

Note: Civil penalty amounts may not reflect settlements or judgments

DMV Business Regulation and Oregon Dealer Services

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Visit DMV Business Regulation and Oregon Dealer Services online at

www.OregonDMV.com