

## 2015 New Legislation

**Effective: January 1, 2015**

### **New Information**

This memo is a summary of legislation effective January 1, 2015, and later, impacting occupational licensees.

### **New Laws Summary Legislative Session (2013-2014)**

#### **New Motor Vehicle Board**

**AB 988**—This bill places a person acting as a dealer of recreational off-highway vehicles (OHV) and utility-terrain vehicles (UTV), as defined in *California Vehicle Code* (CVC) §§500 and 531, subject to the licensing requirements of an all-terrain vehicle (ATV) dealer, under the jurisdiction and provisions of the New Motor Vehicle Board (NMVB). In addition, this law prohibits a dealer who exclusively deals in ATVs, as defined in CVC §§111, 3001, and 3003, from appointment to the NMVB as a new motor vehicle dealer.

#### **Repossessors**

**AB 2503**—This bill requires a dealer, transporter, manufacturer, manufacturer branch, remanufacturer, remanufacturer branch, distributor, distributor branch, or a buy-here-pay-here (BHPH) dealer licensed by the Department of Motor Vehicles (DMV) to use a licensed reposessor when recovering or repossessing viable collateral. This bill also:

- Requires a repossession agency to only transact business with a person or entity as an independent contractor and prohibits a licensed repossession agency from allowing any other person or entity to operate or transact business under the license of the repossession agency.
- Enacts a new law which makes a BHPH, as defined by CVC §241, who knowingly engages a nonexempt unlicensed person to repossess collateral on his/her behalf guilty of a misdemeanor, and punishable by a fine and loss of the dealer license (*California Business and Professions Code* (CBPC) §§7500.2 and 7502.2).

#### **Vehicles**

**AB 1627**—This bill requires a person acting as a registration service to provide each customer with a written disclosure notice that the services described in CVC §11400 may be provided by DMV without an additional fee. In addition, if a registration service is providing a service described in CVC §11400 on an Internet website, the disclosure notice required pursuant to this subdivision must be in a conspicuous place on the Internet website (CVC §§11400 and 11406).

**AB 1732**—This bill prohibits a manufacturer, distributor, or dealer from advertising a vehicle's prior use or ownership in an inaccurate manner. This bill also:

- Authorizes the use of a rebate, if the rebate meets the requirements of existing law and is offered by a finance company affiliated with a vehicle manufacturer or distributor, regulated utility, or government entity.
- Prohibits a dealer from advertising a rebate reduction that conflicts with another advertised rebate deduction (CVC §§11713, 11713.1, and 11713.16).

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### **Access to Bill Language**

You may access complete bill language at [www.leginfo.legislature.ca.gov/faces/codes.xhtml](http://www.leginfo.legislature.ca.gov/faces/codes.xhtml).

### **Background**

Key bills acted upon in the 2013-2014 legislative session that affect occupational licensees.

### **Distribution**

Notification that this memo is available online at [www.dmv.ca.gov/pubs/olin/olin.htm](http://www.dmv.ca.gov/pubs/olin/olin.htm) was made via California DMV's Automated E-mail Alert System in January 2015 to the following:

- Dealers
- Registration Services

### **Contact**

Questions regarding this memo may be directed to the Occupational Licensing Compliance Unit at (916) 229-3154.

### **References**

*California Vehicle Code* §§111, 241, 500, 531, 3001, 3003, 11400, 11406, 11713, 11713.1, 11713.16, 11400, and 11406

*California Business and Professions Code* §§7500.2, and 7502.2



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