

VIRGINIA ACTS OF ASSEMBLY -- 2005 SESSION

CHAPTER 321

An Act to amend and reenact § 46.2-1511 of the Code of Virginia, relating to course of study required for applicants for original independent dealer-operator certificates from the Motor Vehicle Dealer Board.

[H 2581]

Approved March 20, 2005

Be it enacted by the General Assembly of Virginia:

1. That § 46.2-1511 of the Code of Virginia is amended and reenacted as follows:

§ 46.2-1511. Dealer-operator to have certificate of qualification.

A. No license shall be issued to any *franchised* motor vehicle dealer or any independent motor vehicle dealer owned by a franchised motor vehicle dealer or its dealer-operator and operated by the dealer-operator of a franchised motor vehicle dealer unless the dealer-operator holds a valid certificate of qualification issued by the Board. Such certificate shall be issued only on application to the Board, payment of an application fee of no more than ~~fifty dollars~~ \$50 as determined by the Board, the successful completion of an examination prepared and administered by the Board, and other prerequisites as set forth in this ~~section~~ subsection. However, any individual who is the dealer-operator of a licensed dealer on July 1, 1995, shall be entitled to such a certificate without examination on application to the Board made on or before January 1, 1996.

The Board may establish minimum qualifications for applicants and require applicants to satisfactorily complete courses of study or other prerequisites prior to taking the examination.

B. No license shall be issued to any independent motor vehicle dealer, except as permitted in subsection A unless the dealer-operator holds a valid certificate of qualification issued by the Board. Such certificate shall be issued only on application to the Board, payment of an application fee of no more than \$50, as determined by the Board, the successful completion of an examination approved by the Board, and other prerequisites as set forth in this subsection. The Board may establish minimum qualifications for applicants and, on and after January 1, 2006, shall require applicants for an original independent dealer-operator certificate of qualification to be issued pursuant to this subsection to satisfactorily complete a course of study prior to taking the examination. The Board shall develop the course curriculum and set course fees and may approve qualified persons to prepare and present such courses and to administer the examination. This subsection shall not be subject to the provisions of the Administrative Process Act (§ 2.2-4000 et seq.).

2. That the provisions of this act shall become effective on January 1, 2006.