

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact §§ 46.2-1516, 46.2-1916, and 46.2-1993.14 of the Code of Virginia,*
 3 *relating to supplemental sales locations of motor vehicle dealers, T&M dealers, and motorcycle*
 4 *dealers.*

[H 235]

Approved

7 **Be it enacted by the General Assembly of Virginia:**

8 **1. That §§ 46.2-1516, 46.2-1916, and 46.2-1993.14 of the Code of Virginia are amended and**
 9 **reenacted as follows:**

10 § 46.2-1516. Supplemental sales locations.

11 The Board may issue a license for a licensed motor vehicle dealer to display for sale or sell vehicles
 12 at locations other than his established place of business, subject to compliance with local ordinances and
 13 requirements.

14 A permanent supplemental license may be issued for premises less than 500 yards from the dealer's
 15 established place of business, provided a sign is displayed as required for the established place of
 16 business. A supplemental license shall not be required for premises otherwise contiguous to the
 17 established place of business except for a public thoroughfare.

18 A temporary supplemental license may be issued for a period not to exceed seven days, provided that
 19 the application is made ~~fifteen~~ 15 days prior to the sale. *The Board shall not issue a temporary*
 20 *supplemental license for the same jurisdiction for a consecutive seven-day period. The Board shall not*
 21 *issue more than eight supplemental licenses per year to any licensed motor vehicle dealer.*

22 A temporary supplemental license for the sale of new motor vehicles may be issued only for
 23 locations within the dealer's area of responsibility, as defined in his franchise or sales agreement, unless
 24 proof is provided that all dealers in the same line-make in whose areas of responsibility, as defined in
 25 their franchise or sales agreements, where the temporary supplemental license is sought do not oppose
 26 the issuance of the temporary license.

27 A temporary supplemental license for sale of used motor vehicles may be issued only for the county,
 28 city, or town in which the dealer is licensed pursuant to § 46.2-1510, or for a contiguous county, city, or
 29 town. Temporary licenses may be issued without regard to the foregoing geographic restrictions where
 30 the dealer operating under a temporary license provides notice *by certified mail*, at least ~~thirty~~ 30 days
 31 before any proposed sale under a temporary license, to all other dealers licensed in the jurisdiction in
 32 which the sale will occur of the intent to conduct a sale and permits any locally licensed dealer who
 33 wishes to do so to participate in the sale on the same terms as the dealer operating under the temporary
 34 license. Any locally licensed dealer who chooses to participate in the sale must obtain a temporary
 35 supplemental license for the sale pursuant to this section. *The dealer operating under a temporary*
 36 *license shall provide to the Board a copy of the notice required under this section and a list of the*
 37 *dealers to whom the notice was distributed.*

38 A temporary supplemental license may be issued for the sale of boat trailers at a boat show. Any
 39 such license shall be valid for no more than ~~fourteen~~ 14 days. Application for such a license shall be
 40 made and such license obtained prior to the opening of the show. Temporary supplemental licenses for
 41 sale of boat trailers at boat shows may be issued for any boat show located anywhere in the
 42 Commonwealth without notification of or approval by other boat trailer dealers.

43 § 46.2-1916. Supplemental sales locations.

44 The Commissioner may issue a license for a licensed T&M vehicle dealer to display for sale or sell
 45 T&M vehicles at locations other than his established place of business, subject to compliance with local
 46 ordinances and requirements.

47 A permanent supplemental license may be issued for premises less than 500 yards from the dealer's
 48 established place of business, provided a sign is displayed as required for the established place of
 49 business. A supplemental license shall not be required for premises otherwise contiguous to the
 50 established place of business except for a public thoroughfare.

51 A temporary supplemental license may be issued for a period not to exceed seven days, provided that
 52 the application is made ~~fifteen~~ 15 days prior to the sale. *The Department shall not issue a temporary*
 53 *supplemental license for the same jurisdiction for a consecutive seven-day period. The Department shall*
 54 *not issue more than eight supplemental licenses per year to any licensed T&M vehicle dealer. A*
 55 temporary supplemental license for the sale of new T&M vehicles may be issued only for locations
 56 within the dealer's area of responsibility, as defined in his franchise or sales agreement, unless proof is

57 provided that all dealers in the same line-make in whose areas of responsibility, as defined in their
 58 franchise or sales agreements, where the temporary supplemental license is sought do not oppose the
 59 issuance of the temporary license.

60 However, the application for a temporary supplemental license may be made five business days prior
 61 to the sale if the applicant submits evidence that the location is in compliance with all applicable local
 62 ordinances and that all other requirements of this section have been met. The application shall include
 63 affirmative proof of no opposition, in the form of letters signed by all dealers in the same line-make in
 64 whose areas of responsibility, as defined in their franchise or sales agreements, where the temporary
 65 supplemental license is sought, approving the Department's granting the temporary supplemental license.

66 A temporary supplemental license for sale of used T&M vehicles may be issued only for the county,
 67 city, or town in which the dealer is licensed pursuant to § 46.2-1910, or for a contiguous county, city, or
 68 town. Temporary licenses may be issued without regard to the foregoing geographic restrictions where
 69 the dealer operating under a temporary license provides notice *by certified mail*, at least ~~thirty~~ 30 days
 70 before any proposed sale under a temporary license, to all other dealers licensed in the jurisdiction in
 71 which the sale will occur of the intent to conduct a sale and permits any locally licensed dealer who
 72 wishes to do so to participate in the sale on the same terms as the dealer operating under the temporary
 73 license. Any locally licensed dealer who chooses to participate in the sale must obtain a temporary
 74 supplemental license for the sale pursuant to this section. *The dealer operating under a temporary*
 75 *license shall provide to the Department a copy of the notice required under this section and a list of the*
 76 *dealers to whom the notice was distributed.*

77 § 46.2-1993.14. Supplemental sales locations.

78 The Commissioner may issue a license for a licensed motorcycle dealer to display for sale or sell
 79 motorcycles at locations other than his established place of business, subject to compliance with local
 80 ordinances and requirements.

81 A permanent supplemental license may be issued for premises less than 500 yards from the dealer's
 82 established place of business, provided a sign is displayed as required for the established place of
 83 business. A supplemental license shall not be required for premises otherwise contiguous to the
 84 established place of business except for a public thoroughfare.

85 A temporary supplemental license may be issued for a period not to exceed ~~fourteen~~ 14 days,
 86 provided that the application is made ~~fifteen~~ 15 days prior to the sale. *The Department shall not issue a*
 87 *temporary supplemental license for the same jurisdiction for a consecutive 14-day period. The*
 88 *Department shall not issue more than eight supplemental licenses per year to any licensed motorcycle*
 89 *dealer.*

90 A temporary supplemental license for the sale of new motorcycles may be issued only for locations
 91 within the dealer's area of responsibility, as defined in his franchise or sales agreement, unless
 92 certification is provided that all dealers in the same line-make in whose areas of responsibility, as
 93 defined in their franchise or sales agreements, where the temporary supplemental license is sought do
 94 not oppose the issuance of the temporary license.

95 However, the application for a temporary supplemental license may be made five business days prior
 96 to the sale, provided the applicant submit evidence that the location is in compliance with all local
 97 ordinances and that all other requirements of this section have been met. The application shall include
 98 affirmative proof of nonopposition in the form of letters signed by all dealers in the same line-make in
 99 whose areas of responsibility, as defined in their franchise or sales agreements, where the temporary
 100 supplemental license is sought, approving the Department's granting the temporary supplemental license.

101 A temporary supplemental license for sale of used motorcycles may be issued only for the county,
 102 city, or town in which the dealer is licensed pursuant to § 46.2-1993.8, or for a contiguous county, city,
 103 or town. Temporary licenses may be issued without regard to the foregoing geographic restrictions
 104 where the dealer operating under a temporary license provides notice *by certified mail*, at least ~~thirty~~ 30
 105 days before any proposed sale under a temporary license, to all other dealers licensed in the jurisdiction
 106 in which the sale will occur of the intent to conduct a sale and permits any locally licensed dealer who
 107 wishes to do so to participate in the sale on the same terms as the dealer operating under the temporary
 108 license. Any locally licensed dealer who chooses to participate in the sale must obtain a temporary
 109 supplemental license for the sale pursuant to this section. *The dealer operating under a temporary*
 110 *license shall provide to the Department a copy of the notice required under this section and a list of the*
 111 *dealers to whom the notice was distributed.*