



# 2015 RULEMAKING AGENDA

## MOTOR VEHICLE DEALER BOARD and EXECUTIVE DIRECTOR'S OFFICE

### WORKING DRAFT SCHEDULE

#### Part 1 (Motor Vehicle) & Part 5 (Powersports)

**(NOTE: This Schedule is subject to changes multiple times during the year)**

Group#: **1**

Number of Stakeholder Meetings Anticipated: **3 to 4**

Regulations for: **MVDB Licensees**

First Stakeholder Meeting Scheduled: **January 14, 2015**

Contemplated Schedule for Adoption: **August 14, 2015**

Needed Stakeholder Participants: **CADA, CIADA, CAPSS, PDAC, Association Attorneys, Consumer Attorneys, Better Business Bureau, AG's Office, Two (2) former Board members, Auto Industry Division SME's**

Rule Proposal Name	Purpose of Proposed Rule or Rule Change	General Issues
Regulation 12-6-104(3)(k)	Amend Disclosure form	FORM 2434 -Bailment and Down-payment may need clarified - Must not conflict with 6-1-708 CRS ... Should interest rate be consistent with finance agreement?
Regulation 12-6-118(3)(v)	Amend requirements for rejection of financing rule	Timelines and rates consistent within contract and disclosure form
Regulation 12-6-504(1)(m)(l)	Amend Disclosure form	FORM 2434 -Bailment and Down-payment may need clarified - Must not conflict with 6-1-708 CRS ... Should interest rate be consistent with finance agreement?
Regulation 12-6-520 (3)(p)	Amend requirements for rejection of financing rule	Timelines and rates consistent within contract and disclosure form

Status Notes: First meeting held on 1/14/15. Second meeting held on 1/29/15. Third meeting held on February 24, 2015. Forth and final meeting held on March 31, 2015. Group agreed no changes needed to Regulations 12-6-118(3)(v) and 12-6-520(3)(p).

Amended regulations 12-6-104(3)(k) and 12-6-501(1)(m)(l) noticed on May 14, 2015. Public Hearing date set for June 25, 2015. Possible effective date is August 14, 2015

Group#: **2**

Number of Stakeholder Meetings Anticipated: **2 to 4**

Regulations for: **MVDB Licensees**

First Stakeholder Meeting Scheduled: **June 10, 2015**

Contemplated Schedule for Adoption: **Sept. 24, 2015**

Needed Stakeholder Participants: **CADA, CIADA, PDAC, Association Attorneys, Consumer Attorneys, Better Business Bureau, AG's Office, Two (2) former Board members, Auto Industry Division SME's**

Rule Proposal Name	Purpose of Proposed Rule or Rule Change	General Issues
Regulation 12-6-102(16)	Amend definition	Off premise permit issues; is there a need for different types of permits and the need to discuss the "master consignment agreement" issue? This regulation also deals with books and records issues, including subpoenas
Regulation 12-6-502(16)	New regulation to allow for powersports off-premise permits	New regulation to encompass much, if not all, of the issues in the MV regulation
Regulation 12-6-118(3)(j)	Amend rule to be more descriptive in an attempt for clarity	Rule is somewhat vague as to what constitutes "material damage"
Regulation 12-6-520(3)(h)	Amend rule to be more descriptive in an attempt for clarity	Rule is somewhat vague as to what constitutes "material damage"

Status Notes:

Group#: **3**

Number of Stakeholder Meetings Anticipated: **2 to 4**

Regulations for: **MVDB Licensees**

First Stakeholder Meeting Scheduled: **TBD**

Contemplated Schedule for Adoption: **TBD**

Needed Stakeholder Participants: **CADA, CIADA, CAPSS, PDAC, Industry Attorneys, Consumer Attorneys, AG's Office, Auto Industry Division SME's**

Rule Proposal Name	Purpose of Proposed Rule or Rule Change	General Issues
Regulation 12-6-104(3)(f)	Amend MVDB Hearing Procedures	Attempt to write a rule that will allow a "general hearing procedures document" (guidelines) to be created that will address all of the types of hearings that are currently utilized by the Board  OR  amend/draft regulations specific to each hearing type
Regulation 12-6-104(3)(m)	Amend/Repeal Hearing Procedures before a Hearing Officer	
Regulation 12-6-120(2)	Amend declaratory orders rule	
Regulation 12-6-521(2)	Amend Hearing Procedures	

Status Notes:

Group#: 4

Number of Stakeholder Meetings Anticipated: 2 to 4

Regulations for: EDO Licensees

First Stakeholder Meeting Scheduled: TBD

Contemplated Schedule for Adoption: TBD

Needed Stakeholder Participants: CADA, CIADA, CAPSS, PDAC, Industry Attorneys, Consumer Attorneys, Manufacturer Attorneys, AG's Office, Auto Industry Division SME's

Rule Proposal Name	Purpose of Proposed Rule or Rule Change	General Issues
Regulation 12-6-105(1)(c)	Amend/Define "administrator"	The word administrator appears throughout these EDO regulations, but the term is not defined and there is not a position within the Department of Revenue titled "administrator"
Regulation 12-6-105(1)(d)	Amend/Define "administrator"	
Regulation 12-6-105(1)(e)	Amend/Define "administrator"	
Regulation 12-6-105(1)(f)	Amend/Define "administrator"	Same as above ...additionally this regulation should be reviewed as to name change provision being problematic
Regulation 12-6-114	Amend/Define "administrator"	In addition to the administrator issue this regulation contains hearing procedures that should be reviewed
Regulation 12-6-115(5)	Amend/Define "administrator"	
Regulation 12-6-118(1)(b)	Amend/Define "administrator"	
Regulation 12-6-505(1)(h)	Amend hearing procedures for EDO	More clarity is needed related to all processes for hearing
Regulation 12-6-120	Create/Amend for hearing	
Regulation 12-6-120.3	New regulation for hearings	There needs to be regulations considered to establish hearing procedures
Regulation 12-6-120.5	New regulation for hearings	
Regulation 12-6-120.7	New regulation for hearings	
Regulation 12-6-131	New regulations for hearings	Creates procedural rules and clarify what constitutes "specific facts"
Regulation 12-6-537	New regulation for hearings	Sister regulation to above for powersports
??	Create regulation concerning declaratory order	This is currently under review to determine need and placement

Status Notes:

Group#: **6**

Number of Stakeholder Meetings Anticipated: **2 to 4**

Regulations for: **MVDB Licensees**

First Stakeholder Meeting Scheduled: **TBD**

Contemplated Schedule for Adoption: **TBD**

Needed Stakeholder Participants: **CADA, CIADA, CAPSS, PDAC, Industry Attorneys, AG's Office, Two (2) former Board members, Auto Industry Division SME's**

Rule Proposal Name	Purpose of Proposed Rule or Rule Change	General Issues
Regulation 12-6-104(3)(d)(II)	Amend Delegation of Authority	General review of these rules
Regulation 12-6-104(3)(e)	Amend authority to enter default	
Regulation 12-6-105(1)(b)	Amend powers and duties of the Executive Secretary	
Regulation 12-6-504(1)(b)	Amend Delegation of Authority	
Regulation 12-6-504(1)(e)(I)	Create a rule authority to enter default	Create rule consistent with Part 1
Regulation 12-6-504(1)(b)	Amend powers and duties of the Executive Secretary	General review of this rule

Status Notes:

Group#: **7**

Number of Stakeholder Meetings Anticipated: **2 to 4**

Regulations for: **MVDB Licensees**

First Stakeholder Meeting Scheduled: **TBD**

Contemplated Schedule for Adoption: **TBD**

Needed Stakeholder Participants: **CADA, CIADA, CAPSS, PDAC, Industry Attorneys, Consumer Attorneys, AG's Office, Two (2) former Board members, Auto Industry Division SME's**

Rule Proposal Name	Purpose of Proposed Rule or Rule Change	General Issues
Regulation 12-6-104(3)(g)	Amend application requirements	This entire rule needs review, especially "change of ownership" issues
Regulation 12-6-504(1)(d)	No powersports regulations exists that clarifies application requirements	Create a regulation for application requirements that is similar to licenses in part 1

Status Notes:

Group#: **8**

Number of Stakeholder Meetings Anticipated: **TBD**

Regulations for: **MVDB Licensees**

First Stakeholder Meeting Scheduled: **TBD**

Contemplated Schedule for Adoption: **TBD**

Needed Stakeholder Participants: **TBD**

Rule Proposal Name	Purpose of Proposed Rule or Rule Change	General Issues
Regulation 12-6-101(11)	Amend definition	
Regulation 12-6-102(12)	Amend definition	
Regulation 12-6-102(13)	Amend definition	
Regulation 12-6-102(18)	Amend definition	
Regulation 12-6-104(3)(a)	Amend MVDB Powers & Duties	
Regulation 12-6-505(1)	Amend definition	
Regulation 12-6-502(7)	Add definition of new powersports vehicle	
Regulation 12-6-502(11)	Amend definition	
Regulation 12-6-504(2)	Create regulation consistent with MVDB Powers & Duties	
Regulation 12-6-101(11)	Amend definition	
Regulation 12-6-504(b)	Amend definition	

Status Notes: **These regulations are included on the official 2015 Rulemaking Agenda, but have not been prioritized at this time**