



September 1, 2017

**NOTICE TO MOTOR VEHICLE DEALERS REGARDING CHANGES TO NEW JERSEY
ADMINISTRATIVE CODE**

The amendments to New Jersey Administrative Code, at N.J.A.C. 13:21-15, became effective on June 5, 2017. The following is a non-exhaustive list of the changes. The Commission strongly suggests all New Jersey motor vehicle dealers ensure they have read and understand the laws pertaining to motor vehicle dealers, and the Commission's regulations at N.J.A.C. 13:21-15.1 to – 15.

Definitions, N.J.A.C. 13:21-15.1

"Employee" means a person who works under the direction and control of another, in return for financial or other compensation, and provides services as an agent for the employer.

Application, N.J.A.C. 13:21-15.2 (f)

Upon request from the Chief Administrator, the licensee shall produce documentation demonstrating that each authorized signatory meets the definition of authorized signatory (as defined by N.J.A.C. 13:21-15.1, an authorized signatory is "a dealer or leasing dealer and any employee, officer, director, partner, or other holder of an ownership interest in the licensed business, which person is authorized to execute documents on behalf of the dealer or leasing dealer, but shall not include any attorney in fact who is not an employee, officer, director, partner, or holder of an ownership interest.")

Established place of business

N.J.A.C. 13:21-15.4 (a)

All licensees, except leasing dealers, shall maintain a permanent, properly identified location, at which place of business shall be kept and maintained the books, records, and files necessary to conduct the business, including, but not limited to, all documents required by N.J.A.C. 39:10-6, all payroll records, including but not limited to, W4 or W2 records, and all records required under N.J.A.C. 12:56-4, checkbooks, and ledgers for business accounts and trust accounts, all unissued temporary registrations, dealer reassignments, corporate authorities and licenses, dealer plates, and ledgers listing all issued and unissued temporary registrations, dealer assignments, and dealer plates.

N.J.A.C. 13:21-15.4 (c) 2

An authorized signatory shall not simultaneously represent more than one licensee at any given time during the business hours set forth in the licensee's application for licensure, for the purposes of this section.

Temporary registrations issued by licensed motor vehicle dealers and leasing dealers for vehicles that are to be permanently registered in New Jersey, N.J.A.C. 13:21-15.9 (b)

Licensees selling and/or leasing fewer than four vehicles permanently registered in New Jersey through a retail sale or lease in the first 12 months of operation, or any 12 month period thereafter, are not authorized to issue temporary registrations.

Non-resident temporary registrations issued by licensed motor vehicle dealers and leasing dealers, N.J.A.C. 13:21-15.10 (b)

Licensees selling and/or leasing fewer than four vehicles permanently registered in New Jersey through a retail sale or lease in the first 12 months of operation, or any 12 month period thereafter, are not authorized to issue non-resident temporary registrations.

Dealer and Leasing Dealer Plates

N.J.A.C. 13:21-15.11 (b)

New motor vehicle dealers shall receive no more than 20 dealer plates upon initial issuance of a new motor vehicle dealer license. Dealers who can show to the satisfaction of the Commission that 20 plates will not be sufficient for their inventory may submit a request for additional plates.

N.J.A.C. 13:21-15.11 (c)

Used motor vehicle dealers shall receive no more than one set of dealer plates upon initial issuance of a used motor vehicle dealer license. Dealers who can show to the satisfaction of the Commission that one set of plates will not be sufficient for their inventory may submit a request for additional plates not to exceed 20 plates on initial issuance.

N.J.A.C. 13:21-15.11 (d)

Leasing dealers shall receive no more than one set of dealer plates upon initial issuance of a leasing dealer license. Leasing dealers who can show to the satisfaction of the Commission that one set of plates will not be sufficient for their inventory may submit a request for additional plates not to exceed 20 plates on initial issuance.

N.J.A.C. 13:21-15.11 (e)

Used motor vehicle dealers or leasing dealers who can show, to the satisfaction of the Commission, that their current supply of dealer or leasing dealer plates is insufficient may submit a request for additional plates, except that no dealer or leasing dealer may obtain more plates than allowed by this subsection as indicated below:

- 1. Used motor vehicle dealers or leasing dealers selling and/or leasing four to 30 vehicles registered in New Jersey per license year are eligible for no more than one set of plates;*

2. Used motor vehicle dealers or leasing dealers selling and/or leasing 31 to 60 vehicles registered in New Jersey per license year are eligible for no more than two sets of plates; and

3. Used motor vehicle dealers or leasing dealers selling and/or leasing more than 60 vehicles registered in New Jersey per license year are eligible for one additional set of plates for every additional 30 vehicles sold/leased and permanently registered in New Jersey per license year.

Questions related to this notice may be directed to the Business Licensing Services Bureau at (609) 292-6500 ext. 5014.