

PROPOSED AMENDMENT

SENATE AMENDMENTS TO H.B. 2372

(Reference to House engrossed bill)

1 Page 1, line 32, strike "BETWEEN LICENSED MOTOR VEHICLE DEALERS"

2 Line 33, after "DEALER" insert "ONLY IF THE WHOLESALE MOTOR VEHICLE DEALER DOES  
3 NOT HAVE VALID DEALER LICENSE PLATES ISSUED PURSUANT TO SECTION 28-4533,  
4 SUBSECTION B, PARAGRAPH 3"

5 Page 6, between lines 26 and 27, insert:

6 "Sec. 8. Section 28-4409, Arizona Revised Statutes, is amended to  
7 read:

8 28-4409. Evidence of ownership requirement; exception

9 A. Except as provided in section 28-4410:

10 1. Each dealer in motor vehicles, trailers and semitrailers, including  
11 manufacturers who sell to other than dealers, having possession of a motor  
12 vehicle, trailer or semitrailer shall have at the same time either:

13 (a) Possession of a duly and regularly assigned certificate of title  
14 to the vehicle.

15 (b) Reasonable indicia of ownership or right of possession as provided  
16 in section 28-4410.

17 2. A dealer or manufacturer shall not offer for sale or sell a motor  
18 vehicle, trailer or semitrailer until the dealer or manufacturer has obtained  
19 a certificate of title to the motor vehicle, trailer or semitrailer, except  
20 that a certificate of title is not required for a new motor vehicle sold by  
21 manufacturers to dealers.

22 B. A wholesale motor vehicle auction dealer is exempt from the  
23 requirement of having to possess a duly and regularly assigned certificate of  
24 title and from other requirements relating to the reassignment of title  
25 documents and disclosures to buyers. A wholesale motor vehicle auction  
26 dealer may buy or sell a motor vehicle at wholesale in the wholesale motor  
27 vehicle auction dealer's own name if the wholesale motor vehicle auction  
28 dealer complies with the provisions of this title relating to certificates of  
29 title, reassignments of title documents and disclosures to buyers.

1 C. A WHOLESale MOTOR VEHICLE DEALER MUST TITLE IN THE NAME OF THE  
2 WHOLESale MOTOR VEHICLE DEALER ANY VEHICLE THAT THE WHOLESale MOTOR VEHICLE  
3 DEALER ACQUIRES BEFORE THE WHOLESale MOTOR VEHICLE DEALER TRANSFERS THE  
4 VEHICLE TO ANOTHER LICENSED MOTOR VEHICLE DEALER."

5 Renumber to conform

6 Page 7, line 26, strike "~~OR~~" insert ","

7 Line 27, strike "~~or a wholesale motor vehicle dealer~~" insert "or a wholesale  
8 motor vehicle dealer"

9 Page 10, between lines 3 and 4, insert:

10 "3. FOR WHOLESale MOTOR VEHICLE DEALERS, NOT MORE THAN TWO DEALER  
11 LICENSE PLATES PLUS ONE ADDITIONAL LICENSE PLATE FOR EVERY FIFTY VEHICLES  
12 THAT ARE SOLD BASED ON REPORTED SALES IN THE PREVIOUS LICENSE YEAR. ALL OF  
13 THE FOLLOWING REQUIREMENTS APPLY TO DEALER LICENSE PLATES ISSUED PURSUANT TO  
14 THIS PARAGRAPH:

15 (a) BEFORE THE WHOLESale MOTOR VEHICLE DEALER'S LICENSE CONTINUATION  
16 DATE, THE WHOLESale MOTOR VEHICLE DEALER MUST SUBMIT EVIDENCE SATISFACTORY TO  
17 THE DEPARTMENT THAT THE WHOLESale MOTOR VEHICLE DEALER HAS SOLD AT LEAST TEN  
18 VEHICLES IN THE PREVIOUS LICENSE YEAR.

19 (b) IF THE WHOLESale MOTOR VEHICLE DEALER DOES NOT SUBMIT THE EVIDENCE  
20 PRESCRIBED IN SUBDIVISION (a) OF THIS PARAGRAPH, THE DEPARTMENT SHALL CANCEL  
21 THE DEALER LICENSE PLATES ISSUED TO THE WHOLESale MOTOR VEHICLE DEALER.

22 (c) THE DEPARTMENT SHALL NOT ISSUE MORE THAN TEN DEALER LICENSE PLATES  
23 TO A WHOLESale MOTOR VEHICLE DEALER PURSUANT TO THIS PARAGRAPH."

24 Amend title to conform

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