

- Administration
- **Bureau of Motor Vehicles**
- Emergency Management Agency
- Emergency Medical Services
- Office of Criminal Justice Services
- Ohio Homeland Security
- Ohio Investigative Unit
- Ohio State Highway Patrol



Bureau of Motor Vehicles
1970 West Broad Street
P.O. Box 16520
Columbus, Ohio 43216-6520
(614) 752-7600
www.bmv.ohio.gov

INFORMATION FOR NEW DEALERS WHO SIGNED THE SUZUKI LETTER AGREEMENT

New Statement of Manufacturer/Distributor Franchise Form Required

Persons who engage in selling at retail, displaying, offering for sale or dealing in new motor vehicles without a contract agreement with the manufacturer or distributor are in violation of the Ohio Revised Code and are subject to suspension or revocation by the Motor Vehicle Dealer Board.

In order to ensure that our records are accurate and to recognize the new company formed in bankruptcy, the Dealer Licensing section needs each dealer who is continuing as a Suzuki Motorcycle/ATV dealer to complete a BMV form 4319. This form affirms that a franchise exists and has been approved by the Manufacturer/Distributor in accordance with R.C. Section 4517.04 and 4517.50 – 4517.65.

We would appreciate it if you could have this form returned to us by April 1, 2013. After this date, we will assume that you are not continuing with the new Suzuki and are instead preparing to wind down operations.

INFORMATION FOR DEALERS WHO SIGNED THE SUZUKI PARTICIPATION AGREEMENT

Dealers who signed the Participation Agreement do not need to submit a new BMV 4319 because you are settling your business as a Suzuki Automotive dealer rather than continuing with the new company (new motorcycles/ATV's and marine dealers). Upon the completion of your agreement with Suzuki, you will have several options:

1. Dealers who have franchise agreements with other manufacturers to sell new motor vehicles will continue on as licensed new motor vehicle dealers in Ohio. The Dealer Licensing Section, would appreciate it if you would submit written notice of those makes your dealership will discontinue selling and a final date of sales.
2. Dealers who do not have franchise agreements with other manufacturers have the option of changing their license to a used dealer license or they may choose to simply surrender their new motor vehicle dealer's license to the BMV Dealer Licensing Section. For those dealers who chose the participation agreement with Suzuki may surrender their license, please see the information below regarding the cancellation of a dealer's license.
3. Dealers who decide to change their dealer designation (i.e. new to used) are required to notify the Dealer Licensing Section of the Bureau of Motor Vehicles within 15 days of the change, pursuant to

Mission Statement

"to save lives, reduce injuries and economic loss, to administer Ohio's motor vehicle laws and to preserve the safety and well being of all citizens with the most cost-effective and service-oriented methods available."

Ohio Revised Code 4517.23. Complete form BMV 4320. Please see the information below regarding the transfer from a new dealer to a used dealer.

4. Dealers who do not change their license designation or surrender it to the BMV, upon the conclusion of their franchise agreement with Suzuki may be brought before the Motor Vehicle Dealer Board for revocation of the new dealer license under Ohio Revised Code § 4517.33.

Important Information When Changing from selling “new” to “used”

- Used motor vehicle dealers must meet all physical requirements as set forth in the Ohio Administrative Code (OAC) 4501:1-3-08. (listed below)
- A new permit number with a UD designation will be issued and a new password for online services will be assigned.
- Dealer plates remain valid – a new plate number is not issued.
- If the business name is changing, a new sign in the exact business name is required. OAC 4501:1-3-03 (listed below)
- Salespersons licenses must be transferred to the new permit. Complete form BMV 4301 or sign onto the Dealer Licensing Website to check the status, transfer or cancel a salespersons license. www.OhioAutoDealers.com Online Services/Dealer Licensing Menu/Salespersons Services.
- Titles for all used inventory will need to be transferred to the new permit number. Specific questions and fee inquiries may be directed to the Titles Section at 614-752-7671.
- Inventories of Temporary Tags will need to be transferred to the new permit number. (Simply fax exact inventory tag numbers along with old and new permit numbers to the Dealer Licensing Section at 614-752-7220 for a simple transfer – no fee is required.)
- Selling and disposal of remaining “new” motor vehicle inventories are restricted to the terms and agreements between the manufacturer and dealer.

4501:1-3-03 Sign required to identify place of business.

(A) No applicant shall be issued a license unless his application shall show the business for which the license is sought is equipped with a suitable sign, properly maintained and prominently displayed, and permanent, identifying the ownership of said business in the same name in which the application is filed. Sign letters identifying the business shall be no less than six inches high unless otherwise approved by the registrar.

(B) No motor vehicle dealer or auction owner or its agent or representative shall alter the physical conditions of the established place of business so that it is not in compliance with the requirements of Chapter 4517. of the Revised Code

4501:1-3-08 Place of business required for used motor vehicle dealers.

(A) A used motor vehicle dealer shall have an established place of business which shall include a lot of no less than three thousand five hundred square feet, not including driveways, with adequate ground cover of a hard surface to prevent the collection of dust, mud, water or other unsightly conditions and shall be separated from any other business or residence with a permanent physical barrier. There shall be a permanent, usable structure on the premises, including an easily accessible office of no less than one hundred eighty square feet of usable office area which shall include, at minimum, heating that is sufficient and reasonable for a retail office environment, electric lighting, a telephone in service used and identified exclusively for the dealership's business, a desk, three chairs and a filing cabinet, all of which shall be kept in a neat and orderly fashion. The structure shall be occupied by the dealership and staffed by a person who is licensed and regulated under Chapter 4517. of the Revised Code and could reasonably assist any retail customer with or without an appointment. The dealership shall be easily accessible from a public roadway and shall be identifiable as a motor vehicle dealership to the public and open for business. The business hours shall be prominently posted on the premises.

(B) No motor vehicle dealer or auction owner or its agent or representative shall alter the physical conditions of the established place of business so that it is not in compliance with the requirements of Chapter 4517. of the Revised Code.

(C) The requirements for an established place of business for used motor vehicle dealership shall be construed to the end that any customer may, without an appointment, visit the establishment and view its motor vehicle inventory.

(D) A facility shall be considered an established place of business for used motor vehicle dealership when the primary business consists of displaying and offering motor vehicles for sale, lease, or rent so long as it meets all of the requirements of this rule with regard to a used motor vehicle dealership.

(E) A permanent physical barrier is a metal, brick, stone, concrete, wood, heavy plastic, or heavy support cable that is of sufficient composition that it will not significantly deteriorate over time, and cannot be moved or removed. It shall be of sufficient strength and durability to stop or at minimum, inhibit normal vehicular and pedestrian traffic. It shall clearly delineate a separation between a residence or an unrelated business and the beginning of the dealership's established place of business. If such separation is required, it shall be properly maintained during the entire period for which a used motor vehicle dealership license is held.

Important Information When Canceling a Dealers License

- Unless a specific date of closure is noted, upon receipt of notification, the dealer permit number will be canceled and the dealer plates will be invalid.
- Dealer plates – The cancellation notification may include a statement that all dealer plates have been destroyed, or the plates, accompanied by a list of any plates that have been lost may be returned to the Dealer Licensing Section for proper destruction.
- Inventories of unused temporary tags may be refunded for the purchase price. Return the inventories with a request for refund. Including the dealer principle's mailing address.
- Dealers may request up to 30 days after cancellation to complete title work in connection with the disposal of remaining inventories. Please note that selling/disposing of "new" motor vehicle inventory is restricted to the terms and agreements between the manufacturer and dealer. (You may wish to consult an attorney.)

If there are additional questions or to request forms, please visit our website at www.OhioAutoDealers.com or you may call the Dealer Licensing Section at 614-752-7636.