

## H.B. 366

# MOTOR VEHICLE BUSINESS REGULATION ACT AMENDMENTS

HOUSE COMMITTEE AMENDMENTS

AMENDMENT 1

FEBRUARY 26, 2010 5:57 PM

Representative **Bradley M. Daw** proposes the following amendments:

1. *Page 1, Lines 18 through 20:*

18           ▶ provides that a person engaged in a title ~~{-lender-}~~ lending, check cashing, or ~~{-similar~~  
                  business-} deferred deposit lending business  
19 that comes into possession of motor vehicles incident to the person's regular business ~~{-shall~~  
20 be licensed as a used motor vehicle dealer-} and sells the motor vehicle under contractual rights that it  
may have in the motor vehicle is not considered a dealer ;

2. *Page 1, Line 27 through Page 2, Line 30:*

27           ▶ provides that a person may not, for a fee, commission, or other form of  
28 compensation, arrange, offer to arrange, or broker a transaction involving the sale or lease of  
29 more than two used motor vehicles in any 12 consecutive month period, unless the person is  
30 licensed as a new or used motor vehicle dealer; and

3. *Page 6, Lines 160 through 164:*

160           (1) (a) An insurance company, bank, finance company, company registered as a title lender under  
Title 7, Chapter 24, Title Lender Registration Act, company registered as a check casher or deferred  
deposit lender under Title 7, Chapter 23, Check Cashing and Deferred Deposit Lending Registration Act,  
public utility company,  
161 commission impound yard, federal or state governmental agency, or any political subdivision  
162 of any of them or any other person coming into possession of a motor vehicle as an incident to  
163 its regular business, that sells the motor vehicle under contractual rights that it may have in the  
164 motor vehicle is not considered a dealer.

4. *Page 6, Lines 172 through 174:*

172           ~~{(c) A person engaged in a title lender, check cashing, or similar business that comes~~  
173 into possession of motor vehicles incident to the person's business shall be licensed as a used  
174 motor vehicle dealer.-}

5. *Page 12, Lines 353 through 356:*

353           (1) (a) A person may not, for a fee, commission, or other form of compensation,  
354 arrange, offer to arrange, or broker a transaction involving the sale or lease of more than two :

355 = (i) new or used motor vehicles in any 12 consecutive month period, unless the person is licensed  
356 under Subsection 41-3-202(1) ; or  
(ii) used motor vehicles in any 12 consecutive month period, unless the person is licensed under  
Subsection 41-3-202(2) .