

(f) The Chief Administrator may revoke or refuse to renew a dealer license where the applicant has had two or more violations of (a) and/or (b) above which violations resulted in a suspension pursuant to (d) above.

New Rule, R.1985 d.699, effective January 21, 1986.

See: 17 N.J.R. 169(a), 18 N.J.R. 203(b).

Amended by R.2006 d.98, effective March 6, 2006.

See: 37 N.J.R. 1002(a), 38 N.J.R. 1324(a).

Section heading was "Presentation or reassignment of altered title documents; suspension; period of suspension; refusal to renew license"; rewrote the section.

Amended by R.2007 d.228, effective August 6, 2007.

See: 39 N.J.R. 354(a), 39 N.J.R. 3390(a).

In (a), inserted a comma following "N.J.S.A. 39:10-19", substituted "Commission" for "Division" and "that" for "which", and deleted the comma following "correction".

13:21-15.7 Responsibilities of licensee

(a) All documents, including, but not limited to, title papers, reassignments, temporary registrations, and applications for registration and applications for licensure, shall be executed in the name of the dealer only by the dealer or leasing dealer or an authorized signatory.

(b) The dealer shall be responsible for the disposition of all reassignments in his possession.

1. All dealer reassignments shall be filled out completely, including the name and license number of the dealer, with carbon copies made contemporaneously and not separately and retained for three years.

2. All dealer reassignments shall be accounted for upon request of Commission personnel.

3. All lost or stolen reassignments shall be promptly reported to the Commission and to the local police; failure to do shall be conclusive evidence of improper disposition thereof.

(c) The dealer, all partners, officers, directors and/or holders of controlling interests shall be individually responsible for the conduct of all business at the dealership and for compliance with all the requirements of the statutes and rules governing the business of buying, selling or dealing in motor vehicles.

(d) In the event that any information required to be submitted to the Commission in an application should change, the applicant or licensee shall notify the Commission of the change within 10 days thereof.

New Rule, R.2006 d.98, effective March 6, 2006.

See: 37 N.J.R. 1002(a), 38 N.J.R. 1324(a).

Former N.J.A.C. 13:21-15.7, Informing purchaser of dealer's responsibilities; suspension, revocation, or refusal to renew license due to noncompliance, recodified as N.J.A.C. 13:21-15.8.

13:21-15.8 Informing purchaser of dealer's responsibilities; suspension, revocation or refusal to renew license due to noncompliance

(a) Prior to entering into any agreement for the retail sale of a used passenger motor vehicle, a motor vehicle dealer licensed pursuant to N.J.S.A. 39:10-19 shall give written notice to the purchaser of a used passenger motor vehicle to be registered in this State of the dealer's responsibilities under N.J.S.A. 39:10-26 through 39:10-30, inclusive.

(b) In the event that the purchaser of a used passenger motor vehicle to be registered in this State does not waive, pursuant to N.J.S.A. 39:10-29, the dealer's obligation pursuant to N.J.S.A. 39:10-27, the motor vehicle dealer shall inform the purchaser that the used passenger motor vehicle must be presented for inspection at an official inspection facility as defined in N.J.A.C. 13:20-43.1 or a private inspection facility as defined in N.J.A.C. 13:20-43.1 within 14 days of the date of issuance of the temporary authorization certificate for the motor vehicle by the Commission in order for the purchaser to exercise his or her rights under N.J.S.A. 39:10-26 through 39:10-30, inclusive.

(c) Notwithstanding (b) above, the motor vehicle dealer and the purchaser of a used passenger motor vehicle to be registered in this State may mutually agree, in writing, that such used passenger motor vehicle must be presented for inspection at an official inspection facility as defined in N.J.A.C. 13:20-43.1 or a private inspection facility as defined in N.J.A.C. 13:20-43.1 within a shorter period of time from the date of issuance of the temporary authorization certificate for the motor vehicle by the Commission than that set forth in (b) above in order for the purchaser to exercise his or her rights under N.J.S.A. 39:10-26 through 39:10-30, inclusive.

(d) A motor vehicle dealer who violates this section may have his or her motor vehicle dealer's license suspended or revoked, or renewal thereof refused, by the Commission pursuant to N.J.S.A. 39:10-20.

New Rule, R.1999 d.422, effective December 6, 1999.

See: 31 N.J.R. 2466(a), 31 N.J.R. 4078(a).

Recodified from N.J.A.C. 13:21-15.7 by R.2006 d.98, effective March 6, 2006.

See: 37 N.J.R. 1002(a), 38 N.J.R. 1324(a).

Former N.J.A.C. 13:21-15.8, Temporary registrations issued by licensed motor vehicle dealers for vehicles that are to be permanently registered in New Jersey, recodified as N.J.A.C. 13:21-15.9.

Amended by R.2007 d.228, effective August 6, 2007.

See: 39 N.J.R. 354(a), 39 N.J.R. 3390(a).

Section was "Informing purchaser of dealer's responsibilities; suspension, revocation, or refusal to renew license due to noncompliance". In (b) and (c), substituted "Commission" for "Division of Motor Vehicles"; and in (d), substituted "Commission" for "Director of the Division of Motor Vehicles".

13:21-15.9 Temporary registrations issued by licensed motor vehicle dealers for vehicles that are to be permanently registered in New Jersey

(a) A motor vehicle dealer, licensed pursuant to N.J.S.A. 39:10-19, and authorized to issue temporary registrations by the Commission, may, in accordance with this section, issue a temporary registration for a new or used vehicle to a person or entity that has purchased or leased said vehicle from such dealer provided that said vehicle is to be permanently registered in New Jersey. A bona fide sale or lease of such vehicle is a prerequisite to the issuance of a temporary registration. Temporary registrations may be issued for passenger vehicles, noncommercial trucks, laden or unladen non-apportioned commercial vehicles, motorcycles and motorized bicycles, and may be issued for either initial or transfer registrations. If the registrant is not transferring a registration as permitted by N.J.S.A. 39:3-30, the temporary registration shall serve as both a temporary registration and marker (license plate).

(b) A temporary registration shall not be issued pursuant to this section if the motor vehicle dealer does not have in its possession a valid manufacturers' statement of origin or title for the vehicle and, if applicable, a valid dealer reassignment certificate for the vehicle.

(c) A temporary registration shall not be issued pursuant to this section unless the applicant therefor intends to secure permanent New Jersey registration for the vehicle.

(d) A temporary registration shall not be issued pursuant to this section unless the applicant therefor presents proof of current liability insurance coverage available to the vehicle as required by N.J.S.A. 39:6B-1 and/or 39:6A-3. Such proof of current liability insurance coverage shall include, but not be limited to, a valid New Jersey insurance identification card for the vehicle, the declarations page of the insurance policy for the vehicle, or an insurance policy binder for the vehicle, a copy of which card, declaration or binder shall be retained with the dealer copy of the temporary registration. No dealer shall sell, provide, transfer or otherwise arrange for insurance coverage required pursuant to this section unless the dealer is an insurance producer properly licensed by the New Jersey Department of Banking and Insurance.

(e) If the vehicle is subject to the Federal Heavy Vehicle Use Tax imposed by section 4481 of the Internal Revenue Code of 1954 (26 U.S.C. § 4481), a temporary registration shall not be issued unless the applicant therefor presents proof in the form prescribed by the United States Secretary of the Treasury that the tax has been paid.

(f) A temporary registration issued pursuant to this section shall expire at the end of 20 days or as soon as the permanent registration for the vehicle (and, if applicable, license plates) have been received by the registrant, whichever occurs first. The temporary registration shall be destroyed by the registrant at the time of expiration.

(g) A motor vehicle dealer shall not extend the expiration date of a temporary registration, nor issue another temporary registration to the same registrant for the same vehicle. A motor vehicle dealer shall not in any way alter a previously issued temporary registration.

(h) A temporary registration is not transferable from one motor vehicle dealer to another, nor from one vehicle to another. A temporary registration shall not be lent by a motor vehicle dealer to a customer, to another motor vehicle dealer nor to any other person or entity. A temporary registration shall not be issued for vehicles titled in the name of the motor vehicle dealer, or for vehicles covered solely by the dealer's insurance policy.

(i) A licensed motor vehicle dealer, which has been authorized to issue temporary registrations by the Commission, may purchase temporary registrations from a motor vehicle agency at a cost of \$3.00 per temporary registration upon submission of a motor vehicle dealership business check in an amount that reflects the number of such temporary registrations being purchased by the dealer.

(j) Prior to the issuance of a temporary registration, the motor vehicle dealer or his authorized signatory shall assure that all required information has been either typed or printed in ink on the document and that such information is legible on the original and each of the copies thereof.

(k) The motor vehicle dealer or authorized signatory shall enter the following information in the appropriate locations on the right side of the temporary registration:

1. The name of the registrant;
2. The address of the registrant (provided, however, that the address does not appear on the original but only appears on each of the copies thereof);
3. A full description of the vehicle including its make, year, model, body type, vehicle identification number, color and, if a commercial vehicle, its gross weight;
4. The date of issue of the temporary registration;
5. The date of expiration of the temporary registration;
6. The license plate number, if applicable;
7. The name of the insurance company that has issued a policy covering the vehicle, as well as the insurance policy number or binder number; and
8. The motor vehicle dealer's name, address, dealer identification number, and telephone number.

(l) The motor vehicle dealer or authorized signatory shall both print and sign his or her name in the appropriate location on the temporary registration.

(m) The expiration date of the temporary registration shall be entered by the motor vehicle dealer or authorized signatory in the appropriate location on the lower left side of the docu-