

February 28, 1963.

Passed on File.

Motor Vehicles, Commerce & Trade **House File 483**
3/11 By SWISHER.

Passed House, Date.....

Passed Senate, Date.....

Vote: Ayes..... Nays.....

Vote: Ayes..... Nays.....

Approved.....

A BILL FOR

An Act relating to the licensing of manufacturers, distributors, wholesalers, factory branches, distributor branches, factory representatives and distributor representatives of motor vehicles.

Be It Enacted by the General Assembly of the State of Iowa:

- 1 Section 1. Section three hundred twenty-two point two
- 2 (322.2), Code 1962, is hereby amended by adding thereto the fol-
- 3 lowing new subsections:
- 4 1. " 'Manufacturer' means any person, resident or non-
- 5 resident, who manufactures or assembles motor vehicles."
- 6 2. " 'Distributor' or 'wholesaler' means a person, resident
- 7 or nonresident, who in whole or part, sells or distributes motor
- 8 vehicles to motor vehicle dealers, or who maintains distributor
- 9 representatives."
- 10 3. " 'Factory branch' means a branch office maintained by a
- 11 person who manufactures or assembles motor vehicles, for the sale
- 12 of motor vehicles to distributors, or for the sale of motor ve-
- 13 hicles to motor vehicle dealers or for directing or supervising
- 14 in whole or part, its representatives."
- 15 4. " 'Distributor branch' means a branch office similarly
- 16 maintained by a distributor or wholesaler for the same purposes."
- 17 5. " 'Factory representative' means a representative em-
- 18 ployed by a person who manufactures or assembles motor vehicles
- 19 or by a factory branch, for the purpose of making or promoting

20 the sale of its motor vehicles, or for supervising or contacting
21 its dealers or prospective dealers.”

22 6. “‘Distributor representative’ means a representative
23 similarly employed by a distributor, distributor branch or
24 wholesaler.”

1 Sec. 2. Chapter three hundred twenty-two (322), Code 1962,
2 is hereby amended by adding thereto the following new sections:

3 1. “No manufacturer of motor vehicles, or factory branch,
4 or distributor, or distributor branch, shall engage in business
5 as such in this state without a license therefor as provided in
6 this chapter.”

7 2. “No factory representative or distributor representative
8 shall engage in business as such in this state without a license
9 therefor as provided in this chapter.”

10 3. “Application for license shall be made to the department
11 by a manufacturer, distributor, wholesaler, factory branch, dis-
12 tributor branch, factory representative or distributor represent-
13 ative in such form and contain such information as the depart-
14 ment shall require and shall be accompanied by the required
15 license fee. Such licenses shall be granted or refused within
16 thirty (30) days after application therefor, and shall expire,
17 unless sooner revoked or suspended, on December 31 of the
18 calendar year for which they are granted.”

19 4. “License fees for each calendar year, or part thereof,
20 shall be as follows effective January 1, 1964:

21 a. “For motor vehicle manufacturers, distributors or
22 wholesalers, five dollars (\$5.00); and for each factory branch
23 in this state of a motor vehicle manufacturer, five dollars

24 (\$5.00).”

25 b. “For a factory representative or distributor branch
26 representative, two dollars (\$2.00).”

27 5. “Every factory representative or distributor represent-
28 ative shall carry his license when engaged in his business, and
29 display the same upon request. The license shall name his em-
30 ployer, and in case of a change of employer, the representative
31 shall immediately mail his license to the department which shall
32 endorse such change on the license without charge.”

33 6. “The licenses of manufacturers, factory branches, dis-
34 tributors and distributor branches shall specify the location
35 of the office or branch and must be conspicuously displayed at
36 such location. In case such location be changed, the department
37 shall endorse the change of location on the license without
38 charge if it be within the same municipality. A change of loca-
39 tion to another municipality shall require a new license.”

40 7. “The department may deny the application of any person
41 for a license as a manufacturer, distributor, wholesaler, factory
42 branch, distributor branch, factory representative or distributor
43 representative if after reasonable notice and a hearing the
44 department determines that such applicant has violated any pro-
45 vision of this chapter and may revoke or suspend any such license
46 that has been issued if the department shall determine after
47 reasonable notice and a hearing that such licensee has violated
48 any provision of this chapter.”

1 Sec. 3. Section three hundred twenty-two point nine
2 (322.9), Code 1962, is hereby amended by striking from line
3 three (3) thereof the word “licensee” and inserting in lieu

4 thereof the words "retail motor vehicle dealer".

1 Sec. 4. Section three hundred twenty-two point nine
2 (322.9), Code 1962, is hereby further amended by striking from
3 line two (2) of the second paragraph thereof the word "licensee"
4 and inserting in lieu thereof the words "retail motor vehicle
5 dealer".

1 Sec. 5. Section three hundred twenty-two point three
2 (322.3), Code 1962, is hereby amended by striking the word
3 "licensee" from line four (4) of subsection three (3) and in-
4 serting in lieu thereof the words "retail motor vehicle dealer".

1 Sec. 6. Section three hundred twenty-two point three
2 (322.3), Code 1962, is hereby further amended by inserting after
3 the word "agent" in line two (2) of subsection five (5) the words
4 "or representative".

1 Sec. 7. Section three hundred twenty-two point three
2 (322.3), Code 1962, is hereby further amended by inserting after
3 the word "agent" in line two (2) of subsection eight (8) the
4 words "or representative".

1 Sec. 8. Section three hundred twentw-two point seven
2 (322.7), Code 1962, is hereby amended by inserting after the word
3 "The" in line one (1) of subsection four (4) the words "motor
4 vehicle dealer".

1 Sec. 9. Section three hundred twenty-two point eight
2 (322.8), Code 1962, is hereby amended by inserting after the
3 word "Each" in line one (1) the words "motor vehicle dealer".

1 Sec. 10. Section three hundred twenty-two point thirteen
2 (322.13), Code 1962, is hereby amended by striking from line
3 three (3) of subsection two (2) the words "motor vehicle
4 dealers" and inserting in lieu thereof the word "persons".

EXPLANATION OF HOUSE FILE 483

Under chapter 322 of the Code, motor vehicle dealers at retail are required to be licensed. If such a dealer violates provisions of the chapter, his license may be revoked or suspended. The provisions of the chapter relating to manufacturers, distributors, wholesalers, factory branches, distributor branches, factory representatives and distributor representatives are not thus enforceable. This bill provides enforcement provisions relating to such persons similar to the provisions presently applicable to retail dealers.
