



Product Specialists and Salespeople: Same Licence

Late last year, two Ontario dealerships were featured in [an article](#) that showcased their unique approach to the sales process. The two dealerships have “done away with salespeople” and instead employ product specialists whose main role includes answering questions and showing vehicles. Negotiating and closing the deal is left to the sales manager. The anticipated result? No high-pressure sales tactics and a growing trust between the dealer and consumer.

Have these dealerships truly done away with salespeople?

Or are product specialists and product advisors still salespeople under a different name?

Canada’s vehicle sales regulators all agree – product specialists are still considered salespeople under every province’s legislation. Under British Columbia’s *Motor Dealer Act*, a salesperson is anyone who acts on behalf of a motor dealer and **in any way participates** in the sale of a motor vehicle with the expectation of receiving a fee.

Ian Christman, Registrar of Motor Dealers, states that product specialists are still “in a position to influence a consumer’s final decision.” Like salespeople, they show the car, talk about its features and make representations about the vehicle. Product specialists also fall under consumer protection legislation such as the *Motor Dealer Act* and the *Business Practices and Consumer Protection Act*, which ensure that full disclosures are made to consumers.

The bottom line: Anyone who identifies as a product specialist at a dealership needs to be licensed as a salesperson in B.C.

AirCare Data No Longer Available

Access to data that provided a secondary mileage check for Lower Mainland area dealers and consumers ended December 31 with the inspection program. Dealers are encouraged to obtain and share a current comprehensive vehicle history report as a part of their due diligence and disclosure when selling used vehicles.

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ARA Proposes Expanded Inspection Program

The Automotive Retailers Association (ARA) is asking the government of British Columbia to implement a mandatory vehicle safety inspection program for all private vehicles bought and sold in the province, not just those imported into B.C. If implemented, this would be a program similar to those of Manitoba and Newfoundland. More than 22 U.S. states and five Canadian provinces have some form of mandatory inspection program for privately owned and operated vehicles.

The ARA bases their proposal on data that shows mandatory inspections contribute to road safety. The ARA also claims that, in places with mandatory inspection programs, the general public supports these programs because they contribute to their personal safety.

The current law: The *Motor Vehicle Act* states that it is illegal for a person to sell or offer to sell a motor vehicle or trailer *for use as transportation* unless it meets the requirements of the Act and regulations. This includes requirements for safety and roadworthiness. In addition, under the *Motor Dealer Act*, dealers have the added requirement that they can only sell vehicles *suitable for transportation*, unless clearly marked otherwise.

As noted, a pre-sale mandatory inspection is not currently required in B.C. However, the only practical way a motor dealer can ensure that a motor vehicle is safe is to inspect it in comparison to the *Motor Vehicle Act Regulations* and the Provincial Vehicle Inspection (PVI) requirements. Without this evidence, a dealer may have difficulty proving a vehicle was safe at the time it was sold.

The role of the VSA: The VSA is required to enforce the laws currently in place. As a delegated authority, the VSA cannot “lobby” government, but does bring concerns to the government’s attention. This includes concerns and ideas from meetings with the staff and leadership of the ARA, NCDCA and the RVDA, including the regular meetings of the Industry Working Committee. The VSA also evaluates specific proposals when asked by government.

[Learn more about the ARA proposal](#)