

## 2018 Motor Dealer Act Amendments Part 1 of 4

The following changes began with the *Motor Dealer Amendment Act* that was approved in May 2016. Some [portions of the Act](#) came into force immediately, but key features come into force this year. Important changes as of January 1, 2018 include:

### Curbers

The Registrar can now issue compliance orders and administrative penalties to curbers and other unlicensed sellers. Compliance orders and notices of administrative penalties can be filed in court. Once filed, they become orders of the court. The maximum penalties are \$100,000 for a business, including a sole proprietor, and \$50,000 for an individual.

### Increased Fairness and Transparency

- A right of reconsideration has been added for all licensing decisions made by the Registrar. This right is not the same as an appeal, but it allows the Registrar to reconsider a decision if new evidence comes to light that is significant. This is the same right found in the *Business Practices and Consumer Protection Act*
- The Registrar may order a consumer to pay costs to the Vehicle Sales Authority (VSA), and the costs of any licensee brought to a hearing, if the Registrar determines the allegations were frivolous, vexatious or that the complainant engaged in improper conduct during the course of the complaint
- In addition to placing conditions on or cancelling a licence, the Registrar can now use compliance orders, undertakings and administrative penalties in a more flexible approach to *Motor Dealer Act* non-compliance. These new options match provisions already in the *Business Practices and Consumer Protection Act*
- The Registrar has specific authority to publish all types of decisions on [the VSA website](#).

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Coming up in our 4-part *Revised Motor Dealer Act* series:

**Part 2:** Motor Dealer Customer Compensation Fund changes

**Part 3:** eCommerce, inventory defined and Motor Dealer Act exemptions as of April 1

**Part 4:** Wholesaler, Broker Agent and Broker Agent Representative licensing as of April 1

[Motor Dealer Act](#) as revised January 1, 2018



The VSA is an independent, non-profit agency that oversees the retail sales of personal-use motor vehicles in British Columbia. Please send your questions and comments to [communications@mvsabc.com](mailto:communications@mvsabc.com)

