



Wholesale Auction Requirements Motor Dealer Act Amendments, Part 5

Conditions needed to be exempt from licensing

The *Motor Dealer Act (MDA)* has always provided a licensing exemption for wholesale auctions. The recent amendments to the MDA added conditions that must be met for a wholesale auction to keep that exemption. The Registrar can remove the exemption if an auction:

- Fails to offer only *eligible motor vehicles*
- Does not ensure only *eligible bidders* and *eligible sellers* have access to the auction by using visible photo identification
- Fails to control access to the bidding floor and to electronic bidding
- Does not keep *auction records* for at least two years
- Fails to allow the Registrar, or an authorized person, access to the *auction records*
- Does not allow the Registrar, an authorized person, or a peace officer access to the facility

What is an eligible bidder?

- A licensed motor dealer
- A licensed wholesaler
- ICBC or an insurer insured under the *Insurance Act*

What is an eligible seller?

- A licensed motor dealer or licensed wholesaler
- ICBC or an insurer insured under the Insurance Act
- The Province of British Columbia
- A liquidator
- A person disposing under a Repairer’s Lien
- A manufacturer or exporter
- A bailiff or lender of money

What is an eligible motor vehicle?

- A used vehicle offered for sale on behalf of an eligible seller
- A vehicle in which the auction and its officers, directors, or employees have no property interest
- A vehicle for which the seller makes the standard declarations, including if the vehicle is “not suitable for transportation,” available to bidders in writing

Part 1 [Motor Dealer Act administrative penalties](#)

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](#)

Todd Follett joins Motor Dealer Customer Compensation Fund Board

Todd brings significant adjudication experience to his role as a public-at-large member, having recently retired as a Senior Crown Prosecutor for the B.C. Prosecution Service. He previously worked as Discipline Counsel at the Law Society of B.C. and as counsel at the B.C. Securities Commission. Todd is currently on the Faculty of the Capilano University School of Legal Studies. He replaces Darlene Hyde, who served nine years, including five as Vice-Chair and three as Chair. Thank you, Darlene, for your years of service.



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

Vehicle Sales Authority

