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# *Motor Vehicle Dealer Board*

## *Advertising Policy*

### *Deviations from Standard Practices*

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*It is the intent of the Motor Vehicle Dealer Board to first educate the dealer community in matters of advertising violations.*

Keeping the “education first” intent in mind, the Motor Vehicle Dealer Board (MVDB) staff routinely publishes articles in the Board’s newsletter, *DealerTalk* concerning identified trends in advertising violations, and clarification of advertising code and regulations.

Board staff also routinely reviews Internet and newsprint advertisements to ensure compliance with code and regulations. In those cases where there is an apparent violation, board staff initiates an educational phone call to the dealership to identify the violation and provide direction for revision as needed. At this time, no violation is documented or civil penalty levied against the dealership. However, the educational call placed is entered into a database for tracking and historical referencing purposes. A second apparent violation may warrant a warning letter. A third apparent violation, after a warning letter has been issued, can result in a civil penalty of up to \$1,000 (although a \$500 civil penalty is typical).

There are times, however, when it may be necessary to deviate from the standard practice. In those cases where:

- It is apparent that an advertisement willfully attempts to deceive the consumer.
- The dealership consistently violates a particular advertising code (or any combination thereof).
- The responsible dealership contact refuses discussion with a responsible Board staff member concerning the violation.

The Executive Director shall administer corrective action ranging from a first written violation to levying a civil penalty against the dealer depending on the severity of the offense. The dealer has the option of requesting an informal fact finding conference if a civil penalty is assessed. As deemed necessary by the Executive Director, the matter may be brought before the Board for concurrence.

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*Bruce Gould*  
Executive Director