
Motor Vehicle Dealer Board

Variance for Hours of Operation Policy

Dealers are required to remain open 20 hours per week, of which 10 must be between the hours of 9:00 and 5:00, Monday through Friday. The Board may modify these requirements on good cause when a request is made in writing. (§ 46.2-1533 of the Code of Virginia)

- Requests for a variance are to be coordinated through the Executive Director and must always be in writing (FAX or email is acceptable). The request should be submitted at least two weeks in advance of the requested date to begin the nonconforming hours of operation.
- Permanent variances shall not to be granted.
- Normally, a variance should not be granted for fewer than 10 hours per week. The Executive Director may grant a variance for fewer than 10 hours only for extreme circumstances. For example, the Executive Director may grant a variance for a dealer to close for a short vacation or recovery from a medical situation. In these cases the dealer will either post a sign at the dealership indicating when he will reopen or post a sign as to how the dealer can be contacted.
- Requests for a variance which do not have an end date may be granted by the Executive Director and then brought before the Board for further consideration. These variances should not be for fewer than 10 hours per week. A Board field representative will perform an inspection prior to bringing the case before the Board. If the Board extends the variance for good cause, such variance should not extend beyond the applicant's next renewal month.

The Board staff will track authorized variances and will bring them to the Board for reconsideration at the Board meeting just prior to the applicant's renewal month. For Example, if a dealer, whose license expires in December, requests a variance in April which has no end date, the ED would grant the variance through the end of May. The request would be brought before the Board at its meeting scheduled for May. The Board could then extend the variance through December. Board staff would then place this variance on the agenda for the November Board meeting for reconsideration.

Meeting Date: November 1995, January 1997, March 1997, May 1997
Update to requests via email on 12/22/2016

