
Motor Vehicle Dealer Board Guidance Memorandum Maintaining Business Hours Converting Authorized Closing Days to Hours

History:

§46.2-1533 of the Virginia Code requires motor vehicle dealers to be open for business for a minimum of 20 hours per week, with at least 10 of those hours occurring between the hours of 9 a.m. – 5 p.m. Monday – Friday. The Motor Vehicle Dealer Board further authorized dealerships the opportunity to close their dealerships for 20 days per year based on their renewal month. The Motor Vehicle Dealer Board staff is charged with maintaining and updating dealership closures. All dealerships are responsible for submitting their closures to the Motor Vehicle Dealer Board staff.

Problem:

When developed, the system currently used to capture authorized closings was not designed to capture hours. Instead, the system was designed to capture whole days or nothing at all. Over the years the Board staff has used various methods and calculations to determine when to subtract hours from a dealership's authorized closing account. This process penalizes dealerships.

Solution:

The Dealer Board's Executive Director tasked the agency's IT resource to develop a process based on hours to capture dealerships authorized closings.

Effective October 1, 2019, we will start using Modification to the Authorized Closings will allow dealerships to close based on half-hour increments. Below are the groupings for dealerships that determine Authorized Closing Hours and the hours that make a single day for dealer closings.

Full Time and Part Time dealership definition (in hours):

Full Time Dealerships (FT):

- (FT) dealerships open (40) hours a week or more.
- (FT) dealerships will have (160) hours of Authorized Closings.
- (FT) dealerships have a cap of (8) hours of deduction per single day if they exceed more than 8 operational hours within the day.

Part Time Dealerships (PT 30):

- (PT30) dealerships open less than (40) hours a week but greater than (29) hours a week.
- (PT30) dealerships will have (120) hours of Authorized Closings.
- (PT30) dealerships do not have a cap on hours of deduction per single day. Whether a dealership is open 4 hours or 10 hours within a single day, the amount of hour loss for an entire day is the operational hours for that day.

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Part Time Dealerships (PT 20):

- (PT20) dealerships open less than (30) hours a week.
- (PT20) dealerships will have (80) hours of Authorized Closings.
- (PT20) dealerships do not have a cap on hours of deduction per single day.
Whether a dealership is open 4 hours or 10 hours within a single day, the amount of hour loss for an entire day is the operational hours for that day.

Converting of Days to Hours:

Dealerships with current days in Authorized Closings: Dealerships with current days taken in the Authorized Closings will be converted to hours taken. This conversion will be based on the dealerships grouping whether they are FT, PT30 / PT20.

1 day = the number of hours open in a single business day.

If a dealership is an FT (Full Time) dealership, a full day will not exceed 8 hours for the day.

If a dealership is a PT30 / PT20 dealership, a full day will consist of the number of hours during a given day of operation whether it is 2, 4, 6, 8, 9, or more hours.

Example: FT Dealership

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Open Hours	Open Hours	Open Hours	Open Hours	Open Hours	Open Hours	Open Hours
5	8	8	8	8	10	5
Deduction	Deduction	Deduction	Deduction	Deduction	Deduction	Deduction
5	8	8	8	8	8	5

Example: PT30 / PT20 Dealership

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Open Hours	Open Hours	Open Hours	Open Hours	Open Hours	Open Hours	Open Hours
0	5	4	0	2	10	5
Deduction	Deduction	Deduction	Deduction	Deduction	Deduction	Deduction
0	5	4	0	2	10	5

Authority

§ 46.2-1533

January 2018 Board Meeting

September 2019 Board Meeting