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## Periodic Review Report of Findings

<b>Agency name</b>	Motor Vehicle Dealer Board
<b>Virginia Administrative Code (VAC) citation</b>	24VAC22-40
<b>Regulation title</b>	Independent Motor Vehicle Dealer Dealer-Operator Recertification Regulations
<b>Date this document prepared</b>	01/15/2020

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Order 14 (as amended, July 16, 2018), the Regulations for Filing and Publishing Agency Regulations (1 VAC7-10), and the *Virginia Register Form, Style, and Procedure Manual for Publication of Virginia Regulations*.

## Acronyms and Definitions

*Please define all acronyms used in this Report. Also, please define any technical terms that are used in the document that are not also defined in the "Definition" section of the regulations.*

There are no new definitions that are included in this report.

## Legal Basis

*Please identify (1) the agency or other promulgating entity, and (2) the state and/or federal legal authority for the regulatory change, including the most relevant citations to the Code of Virginia or Acts of Assembly chapter number(s), if applicable. Your citation must include a specific provision, if any, authorizing the promulgating entity to regulate this specific subject or program, as well as a reference to the agency or promulgating entity's overall regulatory authority.*

Motor Vehicle Dealer Board  
24VAC22-40  
Chapter 40

§§46.2-1506.1, 46.2-1503.4, of the Code of Virginia

### Alternatives

*Please describe any viable alternatives for achieving the purpose of the regulation that were considered as part of the periodic review. Include an explanation of why such alternatives were rejected and why this regulation is the least burdensome alternative available for achieving its purpose.*

None

### Public Comment

*Please summarize all comments received during the public comment period following the publication of the Notice of Periodic Review, and provide the agency response. Ensure to include all comments submitted: including those received on Town Hall, in a public hearing, or submitted directly to the agency or board. Please indicate if an informal advisory group was formed for purposes of assisting in the periodic review.*

Commenter	Comment	Agency response
	None	None

### Effectiveness

*Pursuant to § 2.2-4017, please indicate whether the regulation meets the criteria set out in Executive Order 14 (as amended, July 16, 2018), including why the regulation is (a) necessary for the protection of public health, safety, and welfare, and (b) is clearly written and easily understandable.*

Meets the criteria for effectiveness and is clearly written and easily understandable.

### Decision

*Please explain the basis for the rulemaking entity’s decision (retain the regulation as is without making changes, amend the regulation, or repeal the regulation).*

January 13, 2020 the Motor Vehicle Dealer Board Full Board voted to approve the periodic review with no changes to the current regulations. The motion carried unanimously. For the complete Board meeting summary, please visit the MVDB website.

### Small Business Impact

*As required by § 2.2-4007.1 E and F of the Code of Virginia, include a discussion of the agency's consideration of: (1) the continued need for the regulation; (2) the nature of complaints or comments received concerning the regulation from the public; (3) the complexity of the regulation; (4) the extent to which the regulation overlaps, duplicates, or conflicts with federal or state law or regulation; and (5) the length of time since the regulation has been evaluated or the degree to which technology, economic conditions, or other factors have changed in the area affected by the regulation. Also, discuss why the agency's decision, consistent with the stated objectives of applicable law, will minimize the economic impact of regulations on small businesses.*

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On January 13, 2020 the Motor Vehicle Dealer Board approved the periodic review and continuation of this regulation. Recertification requirements for independent (used) car dealers help used car dealers keep up with Virginia Code and policy changes. This continuing education also refreshes their knowledge of all laws and regulations dealers need to comply with. Educated dealers are less likely to have problems with consumers and regulators, and education enhances the professionalism of the motor vehicle sales industry. We received no complaints or comments regarding the need to repeal or amend this regulation, and the regulation is written clearly and is easy to understand. This regulation does not overlap, duplicate, or conflict with any federal or state law or regulation, and this regulation was last reviewed on 09/02/2010.