

IN THE SENATE

SENATE BILL NO. 1359

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO DEALERS AND SALESMEN LICENSING; AMENDING SECTION 49-1603, IDAHO CODE, TO INCREASE THE NUMBER OF VOTING MEMBERS ON THE DEALER ADVISORY BOARD AND TO PROVIDE FOR ONE NONVOTING MEMBER ON THE DEALER ADVISORY BOARD.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 49-1603, Idaho Code, be, and the same is hereby amended to read as follows:

49-1603. DEALER ADVISORY BOARD. (1) There shall be a dealer advisory board to consist of ~~eight~~ eleven (11) members to assist and advise the department in the administration of the provisions of this chapter. Five (5) members shall be appointed from licensed dealers selling new vehicles, ~~two~~ four (4) members appointed from licensed dealers selling used vehicles, ~~and one~~ (1) member shall be appointed from licensed dealers selling new recreational vehicles and one (1) nonvoting member shall be appointed to represent new and used motorcycle and ATV dealers. The governor shall appoint the board with consideration to recommendations of the board of directors of the Idaho Automobile Dealers Association, recommendations of the board of directors of the Recreational Vehicle Dealers Association of Idaho and recommendations of the Independent Dealer Association representing used vehicle dealers. The member who represents the new and used motorcycle and ATV dealers shall be a nonvoting member of the board and shall not have a vote on any question, matter or thing referred to the advisory board by the department. The term of office of each member shall be three (3) years. Vacancies occurring on the board other than by expiration of the term shall be filled for the unexpired term only, and each member of the board shall serve until his successor is appointed and qualified. Members of the advisory board shall be compensated as provided by section 59-509(b), Idaho Code, and payments of compensation shall be paid from the state highway account as part of the expenses of administering the provisions of this chapter. A majority of the members of the advisory board shall constitute a quorum, the presence of which at any meeting duly called by the department shall have full and complete power to act upon and resolve in the name of the advisory board any matter, thing or question referred to it by the department, or which by reason of any provisions of this chapter, it has power to determine.

(2) The advisory board on the first day of each July, or as soon thereafter as practicable, shall elect a chairman, vice-chairman and secretary from among its members, who shall hold office until their successors are elected. As soon as the board has elected its officers, the secretary shall certify the results of the election to the department. The chairman shall preside at all meetings of the advisory board and the

1 secretary shall make a record of their proceedings. All members of the
2 advisory board, except for the nonvoting member who represents the new and
3 used motorcycle and ATV dealers, shall be entitled to vote on any question,
4 matter, or thing which properly comes before it.