

October 10, 2012

Important Notice to Manufacturers, Importers and Distributors

Please be advised that the Florida Administrative Weekly (FAW) is now known as the Florida Administrative Register (FAR). Please also note some procedural changes.

As you are aware, pursuant to section 320.642, Florida Statutes, the Department of Highway Safety and Motor Vehicles must receive a written notice from the licensed manufacturer, importer or distributor, stating their intent to establish a new dealership for the sale of their line-make or relocate existing franchise dealers and also give details of dealers in the same county or adjacent county with a standing to protest selling the same line-make. The Department submits these notices to be published in the Florida Administrative Register and advises the dealers with standing to protest giving those dealers 30 days to protest.

Please Note: Effective immediate, The Florida Administrative Register office has advised that notices of intent to establish or relocate dealers will be published daily instead of weekly. Notices to establish and relocate dealers will be submitted by our office to FAR by 3pm each day. This means dealers can be established and can commence their business without delays.

In order for us to expedite our services, please submit your letters of intent to the Dealer License Section with a check payable to DHSMV for \$77.50 towards the publication of the notice in FAR. Our office sends the check to the revenue section to be deposited. This takes 2 to 3 business days. The notice will then be submitted by our office to FAR for publication the next day.

Example: If an accurate notice with check for \$77.50 is received on Monday, the notice will be submitted to FAR by 3pm on Thursday. The notice will be published in the Friday issue. Prior to the change the notice would not have been published until the following Friday. This change will result in your establishment being able to commence business as much as a week earlier. You can view the publications by accessing the FAR site at <https://www.flrules.org/bigdoc/default.asp> .

The Department will advise the dealers with standing to protest giving those dealers 30 days following the date of publication to protest. If protest(s) is received the case will be forwarded to the Division of Administrative Hearings. If no protest is received a Final Order will be issued by the Department. A copy will be e-mailed to the manufacturer, dealer and the Regional Office. Thereafter, the dealer **must** submit an application at the Regional Office to meet the licensing requirements. No motor vehicle, motorcycle, low speed vehicle, mini truck or tri-vehicle shall be distributed until this process is complete.