

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO S.B. 1195

(Reference to Senate engrossed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Section 28-4333, Arizona Revised Statutes, is amended to
3 read:

4 28-4333. Licensing requirement; exemptions

5 A. A new motor vehicle shall not be sold in this state unless either
6 the manufacturer on direct dealerships of domestic vehicles, the importer of
7 foreign manufactured vehicles on direct dealerships or the distributor on
8 indirect dealerships of either domestic or foreign vehicles is licensed as
9 provided in this chapter. Obtaining the license conclusively establishes
10 that the manufacturer, distributor or importer is subject to the laws of this
11 state regulating manufacturers, importers and distributors.

12 B. An organization that has qualified for an exemption from taxation
13 of income under section 43-1201, SUBSECTION A, paragraph 1, 2, 4, 5, 6, 7, 10
14 or 11 may sell a donated used motor vehicle without obtaining a license under
15 this chapter, subject to the following:

16 1. The nonprofit organization shall maintain the tax exempt status
17 until any monies received from the sale of the used motor vehicle have been
18 expended and a member, director, officer, employee or agent of the nonprofit
19 organization shall not receive any direct or indirect pecuniary benefit from
20 the sale of the used motor vehicle.

21 ~~2. The nonprofit organization shall have been in existence~~
22 ~~continuously in this state for a five year period immediately before the sale~~
23 ~~of the used motor vehicle.~~

24 ~~3.~~ 2. The nonprofit organization shall sell the used motor vehicle by
25 ~~consignment~~ ASSIGNMENT using a licensed motor vehicle dealer.

26 ~~4.~~ 3. Notwithstanding section 28-2058, the nonprofit organization is
27 not required to obtain a new certificate of title or registration for the
28 donated motor vehicle but shall assign the certificate of title to the
29 licensed motor vehicle dealer for ultimate assignment to the retail purchaser
30 of the motor vehicle.

1 ~~5.~~ 4. The nonprofit organization shall maintain the motor vehicle
2 financial responsibility requirements prescribed by chapter 9, article 4 of
3 this title if operating the motor vehicle including operating the motor
4 vehicle to the place of ~~consignment~~ ASSIGNMENT.

5 ~~6.~~ 5. The nonprofit organization may operate the donated motor
6 vehicle to the place of ~~consignment~~ ASSIGNMENT without purchasing the one
7 trip registration permit required by section 28-2155.

8 C. Notwithstanding any other provision of this chapter, a person who
9 receives or does not receive consideration for providing a purchaser the
10 opportunity to purchase a motor vehicle from a licensed new motor vehicle
11 dealer at a price that does not exceed a certain amount is not required to be
12 licensed as a motor vehicle dealer or broker under this chapter if the person
13 does not participate in the negotiation of the actual price paid, the
14 delivery terms or any other terms related to the purchase of the vehicle."

15 Amend title to conform

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