

## IDAPA 39 – IDAHO TRANSPORTATION DEPARTMENT

### Division of Motor Vehicles

#### 39.02.01 – Rules Governing Vehicle Manufacturer and Distributor Franchise Requirements

##### **Who does this rule apply to?**

*This rule applies to Manufacturers and distributors who franchise vehicles and vessels through Idaho dealers.*

- Idaho and out-of-state manufacturers and distributors; and
- New vehicle and vessel dealers.

##### **What is the purpose of this rule?**

*The rule defines terms and components of vehicles. General provisions provide at what stage of manufacturing a vehicle is defined as complete in order to determine when a manufacturer or distributor must be licensed to franchise dealers to sell specific lines of vehicles.*

##### **What is the legal authority for the agency to promulgate this rule?**

*This rule implements the following statutes passed by the Idaho Legislature:*

Motor Vehicles -

General:

- [49-201, Idaho Code](#) – Duties of Board

Dealers and Salesman Licensing:

- [49-1602, Idaho Code](#) – Administration – Power and Duties
- [49-1606, Idaho Code](#) – Classes of Licenses – Nonresident Licenses

##### **Who do I contact for more information on this rule?**

Idaho Transportation Department

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# IDAPA 39 – IDAHO TRANSPORTATION DEPARTMENT

## 39.02.01 – RULES GOVERNING VEHICLE MANUFACTURER AND DISTRIBUTOR FRANCHISE REQUIREMENTS

### 000. LEGAL AUTHORITY.

This rule is adopted under the authority of Sections 49-201, 49-501, 49-504, 49-519, 49-1602 and 49-1606, Idaho Code. (9-14-92)

### 001. TITLE AND SCOPE.

This rule is titled IDAPA 39.02.01, “Rules Governing Vehicle Manufacturer and Distributor Franchise Requirements.” and clarifies the operating procedures of vehicle manufacturers and distributors who franchise through vehicle dealers. (12-26-90)

### 002. -- 009. (RESERVED)

### 010. DEFINITIONS.

**01. Finished Vehicle.** A vehicle offered for sale and delivered by the manufacturer for sale at retail. (12-26-90)

**02. New Vehicle.** A vehicle that has not been previously titled or registered and has not been previously required to be titled or registered. (9-14-92)

**03. Used Vehicle.** A vehicle that has been previously titled or registered or previously required to have been titled or registered. (9-14-92)

**04. MCO/MSO.** Manufacturer’s certificate of origin or manufacturer’s statement of origin. (9-14-92)

**05. Motor Home.** A vehicle designed to provide temporary living quarters which are built into or permanently attached to a self-propelled vehicle chassis or van. In addition to sleeping and dining facilities, the vehicle must contain permanently installed independent life support systems that provide at least four (4) of the following: (9-14-92)

**a.** A potable water supply system including plumbing, a faucet and a sink, designed as either self-contained or to be connected with an external water supply, or both; (12-26-90)

**b.** Permanently installed cooking facilities; (12-26-90)

**c.** A permanently installed ice box or refrigeration unit; (12-26-90)

**d.** A permanently installed 110-125 volt electrical power supply or L.P. gas supply, or both; (12-26-90)

**e.** A permanently installed heating or air conditioning system, or both; (12-26-90)

**f.** A permanently installed, self-contained toilet. (12-26-90)

### 011. -- 099. (RESERVED)

### 100. GENERAL PROVISIONS.

**01. Vehicle Manufacturer or Distribution Licensing.** The Department shall issue a manufacturer or distributor license to firms that own the finished vehicle and either: (12-26-90)

**a.** Completely manufacture and assemble new vehicles; (2-26-90)

**b.** Install on previously assembled vehicle chassis: equipment designed for non-transportation, contractor purposes such as cranes, backhoes, etc.; equipment designed for ambulance or mortuary purposes or for the transportation of physically handicapped persons confined to wheelchairs; equipment designed for special purpose use, such as van conversions, tank trucks, ambulances, etc.; or (12-26-90)

- c. Construct or convert and equip previously assembled vehicles or chassis for use as motor homes.  
(12-26-90)

**02. Licensed Manufacturers Provisions.** Licensed Manufactures may franchise any Idaho dealer; shall display the make, name and chassis identification number approved by the Society of Automotive Engineers on each vehicle; and furnish an MCO/MSO for each completed vehicle to dealers.  
(12-26-90)

**03. Motor Home MCO/MSO Requirements.** MCOs for motor homes shall indicate the independent life support system features installed on the vehicle.  
(12-26-90)

**101. -- 999. (RESERVED)**

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