

From: Dealer Services
Subject: Manufacturer/Distributor Licensing Process

To become a Manufacturer or Distributor you must complete a Manufacturer and Distributor License Application ([DSD10](#)). If you are a Second Stage Manufacturer who assembles, reconstructs, or specially constructed vehicles, please attach an outline of any major or essential parts removed from and installed in the vehicles. If you are a distributor, you must include a written authorization from the manufacturer of the vehicle line-make listed in the license application permitting its distribution (this document is necessary only if the manufacturer is not registered with DMV). Also, if licensed as a manufacturer in another state, please submit a copy of your current certificate. Each member of an organization who acts in the capacity of a manufacturer or distributor representative must complete a Manufacturer or Distributor Representative License Application ([DSD7](#)). An Application for Factory/Distributor Plates ([DSD6](#)) also must be completed if license plates are needed.

The fee for a manufacturer's or distributor's license is \$100 for a single year or \$200 for two years; and the fee for each representative license is \$10 for a single year or \$20 for two years. In our continuing effort to safeguard customer information, DMV will no longer accept credit card information through mail or email. If you prefer to pay by credit card you may fax your application and a Vehicle Services Payment Authorization form ([VSA153](#)). As always, we continue to accept checks and money orders via mail.

An applicant for a manufacturer or distributor license who offers a franchise/dealer agreement to more than one dealer must provide DMV a copy of its franchise/dealer agreement for review in accordance with Virginia franchise dealer law (***Va. Code §§ 46.2-1566 – 46.2-1573.02 for motor vehicles; Va. Code §§ 46.2-1573.2 – 46.2-1573.12 for recreational vehicles; Va. Code §§ 46.2-1573.13 – 46.2-1573.24 for trailers; and Va. Code §§ 46.2-1573.25 – 46.2-1573.31 for motorcycles***).

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Below are additional information and requirements regarding franchise/dealer agreements:

- A copy of the franchise/dealer agreement must be filed with DMV. A sample or blank copy is required to allow, if approved, additional dealers to be covered by the franchise/dealer agreement. DMV reviews franchise/dealer agreements and issues a determination to the manufacturer or distributor as to whether the documents conform to Virginia franchise dealer law.
- A review of the franchise/dealer agreement for motor vehicle manufacturers and distributors consists of a two-step process. The first step is comprised of an initial review of the franchise/dealer agreement concluding with a preliminary recommendation as to the consistency of the agreement with Virginia franchise dealer law. The subject manufacturer or distributor and the named dealers receive the preliminary recommendation. The second-step involves a thirty-day period for the dealers of the subject manufacturers or distributors to send written comments (if desired) regarding DMV's preliminary recommendation. At the end of the comment period, DMV issues a final determination to the manufacturer or distributor concerning the conformance of the franchise/dealer agreement with Virginia franchise dealer law.
- The franchise/dealer agreement must contain the following language or words with the same effect:
 - "If any provision herein contravenes the laws or regulations of any state or other jurisdiction wherein this agreement is to be performed, or denies access to the procedures, forums, or remedies provided for by such laws or regulations, such provisions shall be deemed to be modified to conform to such laws or regulations, and all other terms and provisions shall remain in full force."
- The franchise/dealer agreement must include any warranty provisions.
- If the franchise/dealer agreement contains a franchise cancellation-without-cause provision, the manufacturer or distributor must provide, at a minimum, a sixty-day notice period to the dealer and Commissioner before it becomes effective.

All required forms have been marked with a hyperlink for easy access; or you may visit <http://www.dmv.virginia.gov/forms/Default.aspx> and select the forms that are needed.

If you have questions, feel free to contact the Dealer Services Work Center at (804) 367-0901, fax (804) 367-7046, or email dealerservices@dmv.virginia.gov.