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Offloading vehicles to auctions:

Originating dealer remains responsible to consumers

Auctions that sell motor vehicles to consumers on behalf of a registrant (motor dealer) and take no property interest in the motor vehicle are exempt from the Motor Dealer Act (MDA) by regulation from being registered motor dealers.

The fact that a motor vehicle owned by a motor dealer is sold to a consumer by auction and by an auctioneer, rather than from the dealer's lot by a licensed salesperson, does not relinquish the motor dealer's obligations to the consumer as set out in the MDA and its regulations; the Business Practices and Consumer Protection Act and its regulations; or the Motor Vehicle Act and its regulations.

It is important to note that the motor dealer's obligations under Section 222 of the Motor Vehicle Act are to ensure a motor vehicle meets the minimum safety requirements under the Act and its regulations before even being offered for sale to a consumer for their use:

222 - A person must not sell, offer for sale, expose or display for sale or deliver over to a purchaser for use a motor vehicle, trailer or equipment for them that is not in accordance with this Act and the regulations.

See also Section 8.01 of the Motor Vehicle Act Regulations:

8.01 - No person who is engaged in the business of selling motor vehicles shall keep for sale, or sell or offer for sale, any new or used motor vehicle unless the motor vehicle is equipped as required by these regulations.

"There are two issues here, each of paramount importance. If the dealer's name is attached to the vehicle, the dealer is responsible, and, selling a non-compliant vehicle may be a serious offence," said Ian Christman, Deputy Registrar of Motor Dealers. "The fact that the vehicle was moved to an auctioneer's place of business is quite simply irrelevant." "There are several auctioneers who are registered motor dealers in order to sell their own inventory."

Attention dealers! This stolen truck may be on your lot !

Watch for this 2008 Ford Ranger. It was stolen in Surrey on August 15, 2009, (RCMP file number 09-102812) and it is believed that it was sold to a dealer. It cannot be resold: any attempt to transfer registration will be blocked. Call the RCMP if you have any information about this vehicle.

The VIN number is:
1FTZR45EX8PA33065

