

## **Motor Vehicle Dealer Board**

### **Guidelines For Maintaining Records And Storing Records Off-Site**

#### **October 2007**

All Motor Vehicle Dealers are required to keep the originals or a copy of all original records at the site (dealership) of origination for 12 months. After 12 months, they can be stored at another location. (See below for criteria on where and how they can be stored.)

- Upon request, the executive director may exempt a dealer from the requirement to keep the originals or a copy of the originals at the originating dealership when the location for the off site storage is no further than five miles from the originating dealer.
- Upon request, the executive director may exempt a dealer from the requirement to keep the originals or copies of the originals at the originating dealership when an electronic system is in place that allows immediate retrieval of documents imaged or otherwise maintained in electronic format at the site where they originated.

On-line dealers who own multiple dealerships and prefer to process all on-line transactions in a central location have five business days to return the original documents or a copy to the originating dealership once the on-line transaction is completed. (The original or a copy must be stored at the dealership for 12 months.)

Requirements for records stored off-site include the following:

- The dealer must provide, in writing, the address where the records will be stored
- Records must be stored in Virginia and may not be stored in a residence.
- Records must be available without notice to the MVDB, Monday through Friday, 9:00 am to 5:00 pm.
- Upon request, records must be shipped to the originating dealership within five business days.
- Records must be retrievable by dealer number. (e.g.: All deal jackets from dealer 1224 for a given time period.)

Dealers must notify the Dealer Board in writing if they wish to store their records off-site as described in these guidelines. If the Board has any questions or believes the dealer should not be authorized to store records off-site, the Board staff will contact the dealer within two weeks of receiving the request. If the dealer does not hear from the Board within 15 days of mailing the request to the Board, the request is automatically granted.

Any dealer found not in compliance with these guidelines could be subject to sanctions to include civil penalties, suspension or revocation or be required to keep all records on-site for the required five years.