

322C.3 Prohibited acts — exception.

1. A person shall not engage in this state in the business of selling at retail new towable recreational vehicles of any line-make, or represent or advertise that the person is engaged in or intends to engage in such business in this state, unless the person is authorized by a manufacturer-dealer agreement between that person and the manufacturer or distributor of that line-make of new towable recreational vehicles to sell the vehicles in this state, and unless the department has issued to the person a license as a towable recreational vehicle dealer for the same line-make of towable recreational vehicle which the dealer is authorized to sell under the manufacturer-dealer agreement.

2. A person, other than a licensed dealer in new towable recreational vehicles, shall not engage in the business of selling at retail used towable recreational vehicles or represent or advertise that the person is engaged in or intends to engage in such business in this state unless the department has issued to the person a license as a used towable recreational vehicle dealer.

3. A person is not required to obtain a license as a dealer if the person is disposing of a towable recreational vehicle acquired or repossessed, so long as the person is exercising a power or right granted by a lien, title-retention instrument, or security agreement given as security for a loan or a purchase money obligation.

4. A dealer shall not enter into a contract, agreement, or understanding, expressed or implied, with a manufacturer or distributor that the dealer will sell, assign, or transfer an agreement or contract arising from the retail installment sale of a towable recreational vehicle only to a designated person or class of persons. Any such condition, agreement, or understanding between a manufacturer or distributor and a dealer is against the public policy of this state and is unlawful and void.

5. A manufacturer or distributor of towable recreational vehicles or an agent or representative of the manufacturer or distributor shall not refuse to renew a manufacturer-dealer agreement for a term of less than twelve months, and shall not terminate or threaten to terminate a contract, agreement, or understanding for the sale of new towable recreational vehicles to a dealer in this state without just, reasonable, and lawful cause or because the dealer failed to sell, assign, or transfer a contract or agreement arising from the retail sale of a towable recreational vehicle to only a person or a class of persons designated by the manufacturer or distributor.

6. A dealer shall not make and enter into a security agreement or other contract unless the agreement or contract meets the following requirements:

a. The security agreement or contract is in writing, is signed by both the buyer and the seller, and is complete as to all essential provisions prior to the signing of the agreement or contract by the buyer except that, if delivery of the towable recreational vehicle is not made at the time of the execution of the agreement or contract, the identifying numbers of the towable recreational vehicle or similar information and the due date of the first installment may be inserted in the agreement or contract after its execution.

b. The agreement or contract complies with the Iowa consumer credit code, [chapter 537](#), where applicable.

7. A manufacturer or distributor of towable recreational vehicles or an agent or representative of a manufacturer or distributor shall not coerce or attempt to coerce a dealer to accept delivery of a towable recreational vehicle, or parts or accessories thereof, or any other commodity which has not been ordered by the dealer.

8. Except as provided under [subsection 9](#), a person licensed under [section 322C.4](#) shall not, either directly or through an agent, salesperson, or employee, engage or represent or advertise that the person is engaged in or intends to engage in this state in the business of buying or selling new or used towable recreational vehicles on Sunday.

9. A dealer may display new towable recreational vehicles at fairs, shows, and exhibitions on any day of the week as provided in [this subsection](#). Dealers, in addition to selling towable recreational vehicles at their principal place of business and lots, may, upon receipt of a temporary permit approved by the department, display and offer new towable recreational vehicles for sale and negotiate sales of new towable recreational vehicles at fairs, shows,

and exhibitions. Application for temporary permits shall be made upon forms provided by the department and shall be accompanied by a ten dollar permit fee. Temporary permits shall be issued for a period not to exceed fourteen days. The department may issue multiple consecutive temporary permits.

10. A person who has been convicted of a fraudulent practice, has been convicted of three or more violations of [section 321.92, subsection 2](#), or [section 321.99](#), or has been convicted of any other indictable offense in connection with selling or other activity relating to vehicles, in this state or any other state, shall not for a period of five years from the date of conviction be an owner, salesperson, employee, officer of a corporation, or representative of a licensed towable recreational vehicle dealer or represent themselves as an owner, salesperson, employee, officer of a corporation, or representative of a licensed towable recreational vehicle dealer.

[C81, §322C.3]

[2001 Acts, ch 32, §39](#); [2003 Acts, ch 44, §114](#); [2006 Acts, ch 1068, §39](#); [2011 Acts, ch 38, §23](#); [2019 Acts, ch 67, §3, 20](#)

Referred to in [§322C.11](#), [322C.14](#)

2019 amendment applies to manufacturer-dealer agreements pertaining to the sale of new towable recreational vehicles entered into or renewed on or after January 1, 2020; [2019 Acts, ch 67, §20](#)

Section amended