



*Department of
the Secretary of State
Bureau of Motor Vehicles*

Dear Prospective Applicant:

Enclosed please find the proper application forms to apply for a Dealer license.

The rules governing dealer licensing and the requirements that must be met can be found on the State of Maine website at:

www.maine.gov/sos/cec/rules/29/250/250c103.doc

Compliance with these rules and regulations is necessary before you can be issued the type of dealer license you are requesting. It is recommended that you read these carefully prior to submitting your application to ensure that your application will be able to be processed.

If you have any questions concerning the application material, please do not hesitate to contact Dealer Licensing at (207) 624-9000 Ext. 52143, by email at DealerLicensing.BMV@Maine.gov or by mail to: Secretary of State, Bureau of Motor Vehicles, Dealer Licensing, 29 State House Station, Augusta, Maine 04333-0029.

Sincerely,

Dealer Licensing

29 State House Station; 101 Hospital Street; Augusta, ME 04333-0029
Dealer Licensing
Email: DealerLicensing.BMV@Maine.gov
(207) 624-9000 ext. 52143 Fax (207) 624-9126
TTY Users call Maine relay 711



**STATE OF MAINE
BUREAU OF MOTOR VEHICLES
DEALER LICENSING**

Information for Dealer License Applicants

In order for the Secretary of State to issue a dealer, transporter, loaner or auction license, the applicant must:

- File the proper **application and total fees**, including the filing fee, license fee(s) and plate fee(s).
 - If the license(s) and plate(s) cannot be issued, all license and plate fees will be refunded.
 - The filing fee is **non-refundable** by law. The filing fee and questionnaire is waived on applications from finance companies and financial institutions or credit unions, because there is no inspection required for these types of businesses.
- Complete a **questionnaire** and have it properly **notarized**.
- On a “**zoning**” form provided, please furnish proof of compliance with building codes, zoning and land use ordinances. An official of the city/town must sign the “zoning” form where the business is being licensed. This form must also be **notarized**.
- If the business is a sole proprietorship (not incorporated), please indicate “Individual” ownership on the application. You may use a business name for your dealership, however, all of the application documents must be completed in that business name.
- If the business is a partnership, you must submit a copy of the **partnership agreement** with your application. You must **register your partnership** in the city/town where the business is located.
- If the business is a Maine Corporation, Limited Liability Company (LLC), Limited Liability Partnership (LLP), Limited Partnership (LP), etc., please submit a copy of the appropriate organizational documents for your registered business entity (e.g. **Articles of Incorporation**) that must be obtained from the Secretary of State Bureau of Corporations, Elections, and Commissions. If the owner is a foreign (out of state) Corporation, Limited Liability Company (LLC), Limited Liability Partnership (LLP), or Limited Partnership (LP), please submit a copy of your Application for Authority to do Business in Maine that must be obtained from the Secretary of State, Bureau of Corporations, Elections, and Commissions. To obtain these copies, please contact the Bureau of Corporations, Elections, and Commissions at (207) 624-7752.
 - If, in addition to the legal name on file with the Secretary of State, Bureau of Corporations, Elections, and Commissions, your business intends to operate under an assumed name, you must file an application to use an assumed name. For more information regarding this assumed name filing, please contact the Bureau of Corporations, Elections, and Commissions at (207) 624-7752.
- In addition to the copies of your organizational documents from the Bureau of Corporations, Elections, and Commissions, you must provide a copy of the meeting minutes. In lieu of the meeting minutes, we will accept a sworn affidavit (**must be notarized**) that includes the names, titles and percentage of ownership of all involved in the business.

- If the property is not owned by the applicant, you must submit a copy of your **lease agreement**. Requirements of the lease agreement are as follows: must include size of lot, size of building, size of office, size of repair area, must be signed by both the lessee and lessor and both signatures must be properly witnessed or notarized.
- Submit a copy of the **plot plan**. (Please be sure to include measurements.)
- Obtain a **sales tax number**. You must contact Maine Revenue Services at (207) 624-9693 to obtain the application materials for your sales tax number. **Submit** a copy of the issued **sales tax certificate**.
- Obtain a **Federal ID Number or Owners Social Security Number**. You must contact Internal Revenue Services at (207) 622-1508 to obtain the application materials for your Federal ID number.
- Submit to a **State Police Bureau of Identification background check (SBI)** for each owner, officer, director, shareholder, member, manager, and partner with your application. You must provide the \$21.00 fee per background check to be processed.
- You must then contact your insurance agent and request that an **R-1348 insurance filing** be submitted to this office for insurance on your dealer plates. If you are applying for a light trailer or equipment dealer license and do not wish to obtain dealer plates, the insurance filing is not required. The R1348 insurance filing is not required to be filed with the BMV until the inspection is completed.
- You must also contact your insurance agent to request a **surety bond** be submitted to this office. If you are applying for light trailer, equipment, loaner, or transporter license, you are not required to file a bond. The Dealer surety bond is not required to be submitted until the inspection is completed.

The value of the surety bond is based on the number of sales per year. The bond amounts are as follows:

<u>Number of Sales</u>	<u>Bond Value</u>
0 – 50 Vehicles	\$ 25,000
51-100 Vehicles	\$ 50,000
101-150 Vehicles	\$ 75,000
151 and over Vehicles	\$100,000

****New applicants - The owner, or an employee of the dealership, must review the dealer training information and sign an affidavit of completion before issuance of a Dealer License (Loaner and Transporters are exempt from this rule). For further information, please contact Dealer Licensing at (207) 624-9000 ext. 52143.****

Your application will be submitted to an inspection of the facility by a Bureau of Motor Vehicle Detective to determine that the facility meets at least the minimum requirements for the type of license you are requesting set forth in Chapter 103. Once all of the above requirements have been met and your application has been approved, your dealer license(s), registration(s) and plate(s) will be issued to you.

All dealer licenses expire on the last day of the month, one year from the date of issuance.

**Bureau of Motor Vehicles
Application for a Dealer License**

Office Use

Type:

- New Application
 Additional License Type
 Annex Location
 Secondary Location
 Change of Status
 Change of Location
 Other (Specify) _____

Owner (s) Name _____ Cell Number _____

DBA (If Applicable) _____

Business Name _____ Phone Number _____

E-mail Address: _____ Fax Number _____

Business Physical Location _____

City or Town _____ Zip Code _____

Business Mailing Address _____

City or Town _____ Zip Code _____

Sales Tax Number _____ Federal ID Number _____

Franchise(s) Held _____

Please list any annex or secondary location(s) where business will be conducted under same license:

Location _____ Phone Number _____

Location _____ Phone Number _____

In the columns below please check off the types of licenses you are applying for and enter the appropriate fee.
Total the far-right column and enter the amount at the bottom.

Types of Licenses / Fees	License	License Fee	Total Fee
New Car Dealer License		\$150.00 ea.	
Used Car Dealer License		\$150.00 ea.	
Loaner License		\$150.00 ea.	
Equipment Dealer License		\$150.00 ea.	
Transporter License		\$150.00 ea.	
Recycler License		\$150.00 ea.	
Auction License		\$150.00 ea.	
Heavy Trailer License (over 3,000 lbs.)		\$150.00 ea.	
Light Trailer License (3,000 lbs. or less)		\$50.00 ea.	
Motorcycle Dealer License		\$50.00 ea.	
Annex License		\$150.00 ea.	
Secondary Location		\$100.00 ea.	
SBI Background Check (Per Owner, Partner, of Officer)		\$21.00 ea.	
Filing Fee - If you are applying for a new license, changing a business location, or changing ownership or corporate structure.		Add \$150.00	
TOTAL (Total Amount from Back and Front)			

Please list below the name, address, date of birth, and title of **each** owner, partner, or officer in your business.

Name	Address	Date of Birth	Title	% of Ownership

Primary contact person: _____ Contact phone number: _____

Is your business: (Check One)

Individual Partnership Corporation (LLC)

If a corporation, what state are you incorporated in? _____

Within the past (5) five years, have you or any partner, director or officer of your business been found guilty of any:

1. **Felony** Yes ___ No ___
2. **Criminal violation under Title 29-A or Title 17-A** Yes ___ No ___
3. **Any civil judgment involving fraud, misrepresentation or conversion** Yes ___ No ___

If yes to any give location, date and violation _____

Write the number of plates you need to match the type of license you applied for on the front of this application. Multiply the number of plates times the plate fee, enter the amount in the far-right column and total the column.

Type of Plate	No. of Plates	Plate Fee	Total Fee
New Car Dealer Plate		\$20.00 ea.	
New Car Dealer Vanity Plate		\$50.00 ea.	
New Car Loaner Vanity Plate		\$50.00 ea.	
Used Car Dealer Plate		\$20.00 ea.	
Loaner Plate		\$20.00 ea.	
Equipment Dealer Plate		\$20.00 ea.	
Transporter Plate		\$20.00 ea.	
Heavy Trailer Dealer Plate (over 3,000 lbs.)		\$20.00 ea.	
Light Trailer Dealer Plate (3,000 lbs. or less)		\$5.00 ea.	
Motorcycle Dealer Plate		\$5.00 ea.	
Light Wrecker Plate (26,000 lbs. or less)		\$50.00 ea.	
Heavy Wrecker Plate (80,000 GVW or less)		\$200.00 ea.	
Service Vehicle Plate New or used car only		\$50.00 ea.	
Equipment Service Vehicle Plate		\$50.00 ea.	
TOTAL (carry total to front side)			

Signature of Owner

Official Title

Date

To process this application, the Owner's Signature is required.

Add the total fees on both sides of this sheet and send your check, made payable to the Secretary of State, to: **Bureau of Motor Vehicles, Dealer Licensing, 29 State House Station, Augusta, Maine 04333.** Payment may be made by credit card:

Type: Visa Mastercard Discover American Express
Number: _____ Expiration Date: _____ Zip Code: _____
Name on Credit Card: _____

If you have any questions, please contact Dealer Licensing
Ph: (207) 624-9000 Ext. 52143 / Fax: (207) 624-9126 / Email: DealerLicensing.BMV@Maine.gov

Applicant Questionnaire for the Licensing of Dealers, Transporters, Loaners or Recyclers

Type:

- New Application
 Additional License Type
 Annex Location
 Secondary Location
 Change of Status
 Change of Location
 Other (Specify) _____

Owner Name _____ Phone Number _____

Business Name _____ Phone Number _____

Business Physical Location _____

City or Town _____ Zip Code _____

Business Mailing Address _____

City or Town _____ Zip Code _____

What type of business are you licensing? _____

Section I: Please answer each question by check marking either Yes or No.

1. Is there now or was there previously a licensed dealership at your location? Yes No
 If Yes please supply name of dealership: _____
 If Yes, were you an owner of this dealership? Yes No
2. Is there any other business at this location? Yes No
 If Yes, what is the name and type of this business? _____
3. Do you own that business? Yes No
4. What days and hours is your business open? _____ Yes No
5. Do you currently have ownership in any other dealership? Yes No
 If Yes, please list the dealership(s) name and license types and numbers:

<u>Dealership(s) Name</u>	<u>License Type & Number</u>

Section II: These questions ask about your established place of business:

1. Is your business located in a permanently enclosed commercial building? Yes No
2. Is your business located on one parcel of land? Yes No
3. Do you own the property & buildings? Yes No
4. Do you lease the property & buildings? Yes No
 (If Yes, enclose a copy of the lease)

Section III: These questions ask about your display/repair area:

NOTE: Recyclers/Salvage only are exempt

1. Does your business have at least 3,500 sq. ft. of display area in or adjoining the building? Yes No
2. Do you lease your repair facility? If so, a copy of that lease must be provided to BMV. Yes No
3. Do you lease your repair facility to a Maine Inspection Technician? Yes No N/A
4. If you lease your repair facility, do you have a minimum 2' x 3' sign stating that any repair work done on site for the dealership will be performed by the technician leasing the space? Yes No N/A
5. Does the sign contain the technician's address and telephone number? Yes No N/A
6. Do you have the tools and equipment needed to repair and service vehicles properly? Yes No
7. Do you have an air compressor? Yes No
8. Do you have a hydraulic jack or lift? Yes No
9. Do you have a full set of mechanics tools? Yes No
10. Does the owner or an employee work as a mechanic at least 30 hrs. per week? Yes No

Section IV: These questions ask about your business office:

- 1. Do you have an office with at least 64 sq. ft. to keep records and conduct business? Yes No
- 2. Is your office heated? Yes No
- 3. Does your office have at least 1 desk, 2 chairs, and a filing cabinet? Yes No
- 4. Is your office completely enclosed by floor to ceiling construction? Yes No
- 5. Is your office separate from any living quarters? Yes No
- 6. Is your office located in or adjoining your business building? Yes No

Section V: These questions ask about your business sign:

- 1. Is your business identified by an exterior sign? Yes No
- 2. Is the sign permanently affixed to land or building? Yes No
- 3. Is the sign readable at a distance of 200 feet? Yes No
- 4. Is the sign at least 12 square feet in size? Yes No
- 5. What does the sign say? _____

Section VI: If you are applying for a recycler dealer license, you must also complete the last set of questions by checking Yes or No to each question below.

- 1. Is there a storage area in or adjoining the building? Yes No
- 2. Is the business within 1,500 feet of a state or federally owned cemetery? Yes No
- 3. Did your salvage yard exist before December 5, 1983? Yes No
If No, what date did your salvage yard begin? _____
- 4. Is this an expansion of an existing salvage yard? Yes No
- 5. Do you maintain a business inventory of all vehicles, component parts, body, chassis, or transmissions that are received or disposed of as required by law? Yes No

5a. Explain your record keeping procedures: _____

- 6. Are you currently a licensed dealer in Maine? Yes No
- 7. Are you currently a licensed dealer in any other state? Yes No

Signature of Applicant	Title	Date
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Notarization Required

Before me personally appeared _____, who by me being duly sworn under oath says that the statements set forth above are true and correct.

Sworn to and subscribed before me at _____, Maine, on this _____ day of _____, 20_____.

Notary Public _____

My Commission Expires: _____



SECRETARY OF STATE
BUREAU OF MOTOR VEHICLES
STATE HOUSE STATION 29
AUGUSTA, MAINE 04333

BUILDING CODE, ZONING AND LAND USE REGULATORY ORDINANCE CLEARANCE

Applicant's Name, Business Name and Business Address

Dear Sir:

As required by the Secretary of State, the above named applicant, at the location shown, is in compliance with all local building codes and land use regulatory ordinances for the **initial application for a dealer license and/or for the application for additional dealer license types** as they pertain to a commercial building, a vehicle display area, and sale and service of vehicles and the display of a permanently mounted sign.

A local seller's license:

<input type="checkbox"/> Is required	<input type="checkbox"/> Is not required
<input type="checkbox"/> Has been issued	<input type="checkbox"/> Will be issued

Signature - Authorized City/Town Official

Title

NOTARIZATION REQUIRED

STATE OF MAINE - County of _____ Date, _____ 20____ Then personally appeared the above AUTHORIZED CITY/TOWN OFFICIAL named _____ and acknowledge the foregoing instrument under oath to be free act and deed.

NOTARY PUBLIC or ATTORNEY _____

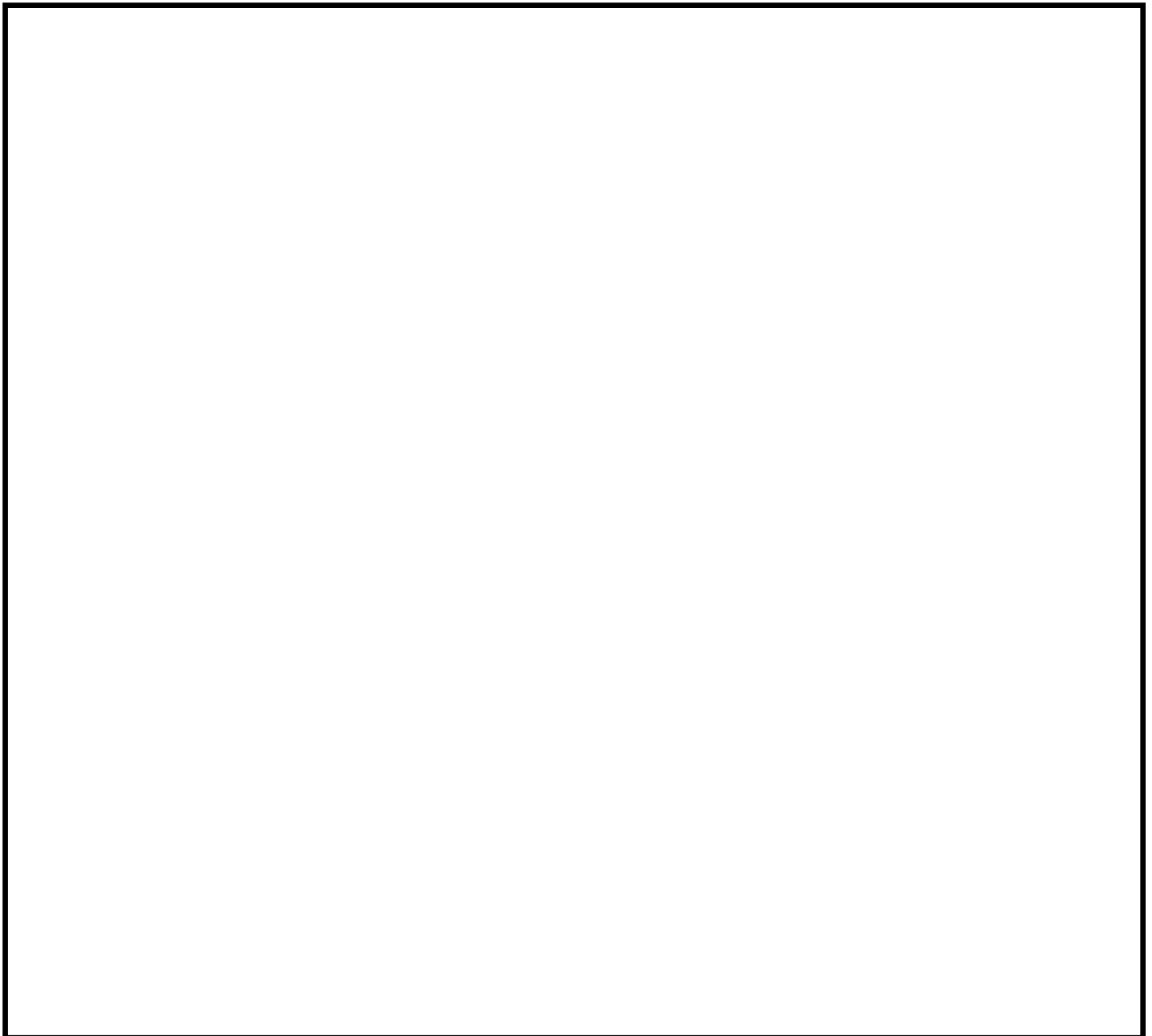
My commission expires: _____

Dealership Plot Plan

Dealership Name: _____

Dealership Location (Physical Location) _____

Please use the area provided below to draw a layout of your facility. Include the dimensions of the office area, repair area, and the display area. Also, indicate where the sign will be posted. If there are any other businesses operating at this same location, show their area as well.

A large, empty rectangular box with a thick black border, intended for drawing a facility layout. The box is currently blank.

SAMPLE LEASE

I, *Lessor Name*, agrees to lease *to Lessee Name & Business Name*, a parcel of land and building thereon located on *Street Address & Town*,

_____.

This parcel consists of a lot *Size of Lot*, and a building, *Size of Building*. This building consists of an office, *Size of Office*, and a repair area, *Size of Repair Area*.

This lease will be valid for one year from this date, *Beginning Date of Lease*, and will be renewed yearly thereafter. This lease may not be terminated by either party without 30 days written notice.

Witness

Lessee

Witness

Lessor

This "Sample Lease" is provided for your convenience in submitting the required lease, if you presently lease/rent your place of business.

SAMPLE LEASE

I, _____, agrees to lease _____, a
parcel of land and building thereon located on _____,
_____.

This parcel consists of a lot _____, and a building, _____. This
building consists of an office, _____, and a repair area, _____.

This lease will be valid for one year from this date, _____ and will be
renewed yearly thereafter. This lease may not be terminated by either party without 30
days written notice.

Witness

Lessee

Witness

Lessor

SAMPLE PARTNERSHIP AGREEMENTS

EXAMPLE "A"

January 1, 2012

We, *John Doe and Barbara Smith*, have formed a partnership in connection with the business of *John & Barbara's Used Cars*, located on the *Brown Road* in *Caribou Maine*.

EXAMPLE "B"

January 1, 2012

We, *John Doe and Barbara Smith*, have formed a partnership in connection with the business *of John & Barbara's Used Cars*, located on *the Brown Road* in *Caribou Maine*. This is a *60/40* partnership, with *John Doe* at 60% owner of the business.

EXAMPLE "C"

January 1, 2012

We, *John Doe and Barbara Smith, & Dexter Jones* have formed a partnership in connection with the business *of J-B-D Used Cars*, located *on Route 1* in *Caribou Maine*. This is a *50/30/20* partnership with the ownership as follows:

John Doe	50%
Barbara Smith	30%
Dexter Jones	20%

These samples are provided for your convenience to assist you in writing your own partnership agreement. However, the above formats are not mandatory forms. For legal reasons, you may wish to have a lawyer assist you with your partnership papers.

If you choose to use on of the above forms, it must be signed by both or all partners, and each signature must be individually witnessed and notarized. These papers must then be recorded with the city hall or town office of the municipality in which your business is located.