



Department of
the Secretary of State
Bureau of Motor Vehicles

Matthew Dunlap
Secretary of State

Patty A. Morneault
Deputy Secretary of State

Garry Hinkley
Director of Vehicle Services

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 BMV at (207) 624-9000 Ext. 52143, or by mail to: Secretary of State, Bureau of Motor Vehicles, Dealer and Agent Services, 29 State House Station, Augusta, Maine 04333-0029.

Sincerely,

Garry Hinkley
Director of Vehicle Services



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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, Division of Corporations. 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, Division of Corporations. To obtain these copies, please contact the Division of Corporations at (207) 624-7752.

If, in addition to the legal name on file with the Secretary of State, Division of Corporations, 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 Division of Corporations at (207) 624-7740.

- In addition to the copies of your organizational documents from the Division of Corporations you must provide a sworn affidavit 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**. This lease agreement 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**.
- 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.
- 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 a **State Police Bureau of Identification background check (SBI)** for each owner, officer, director, shareholder, member, manager, and partner with your application. You may obtain the SBI check by contacting State Police at 624-7277 or to request a background check online, visit the State Police website at www.Maine.gov and follow the link to Public Criminal Records under Online Services.
- Submit to an **inspection** of your dealership by a Motor Vehicle Detective to ensure that your facility meets at least the minimum requirements for the type of license(s) you are applying for.
- 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, equipment or mobile home only dealer license and do not wish to have the dealer plates, the insurance filing is not needed.
- You must also contact your insurance agent to request a **surety bond** be submitted to this office. If you are applying for light trailer or equipment only, you are not required to file a bond.

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

Number of Sales	Bond Value
0 – 50 Vehicles	\$ 5,000
51-100 Vehicles	\$ 10,000
101-150 Vehicles	\$ 15,000
151-200 Vehicles	\$ 20,000
200 Vehicles +	\$ 25,000

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.

Department of
the Secretary of State
Bureau of Motor Vehicles



Matthew Dunlap
Secretary of State

Patty A. Morneault
Deputy Secretary of State

Garry Hinkley
Director of Vehicle Services

Dear Dealer Applicant:

In order to process your application for a dealer license, you must submit a completed Maine State Police, Bureau of Identification (SBI) search record. If you are an individual owner, please submit your own record; if it is a partnership, a record for each partner; and if it is a corporation, a record for each owner or corporate officers on the application.

To obtain your SBI record, complete the attached form and mail to:

Maine State Police
SBI Record Search
State House Station #42
Augusta, Me 04333-0042

Phone: 1-800-452-4664

Or through the internet at: www.informe.org/PCR/

If processing a SBI record by mail, a check must be made payable to Treasurer, State of Maine, in the amount of \$31.00 per owner listed. Payment by a credit card is needed for processing a SBI record through the internet.

If you have any questions regarding this matter, please feel free to contact us at 624-9000 ext. 52143.

Sincerely,

A handwritten signature in black ink that reads "Garry Hinkley".

Garry Hinkley
Director of Vehicle Services

STATE BUREAU OF IDENTIFICATION

***45 COMMERCE DRIVE, SUITE 1
STATE HOUSE STATION #42
AUGUSTA, MAINE 04333***

In accordance with provisions as set forth in Title 16 M.R.S.A. Sec. 611 et seq., the State Bureau of Identification is authorized to disseminate adult, conviction data to anyone for any purpose and other information as authorized by law.

To obtain this information you must put your request in writing on letterhead stationery, if available, clearly identifying the following:

- 1. NAME OF PERSON INQUIRED UPON AND ANY OTHER NAMES USED
PREVIOUSLY, i.e.; MAIDEN NAME, OTHER MARRIED NAMES, ALIASES**
- 2. COMPLETE DATE OF BIRTH**
- 3. PURPOSE OF REQUEST, i.e.; EMPLOYMENT, VISA**
- 4. INQUIRER'S NAME, ADDRESS AND TELEPHONE NUMBER**
- 5. FEE OF \$31.00 (\$41.00 if notarized copy is required) FOR EACH PERSON INQUIRED UPON, DUE AT THE TIME THE INQUIRY IS MADE. (Make check payable to: *TREASURER, STATE OF MAINE.*)**
- 6. MAIL INQUIRY TO ADDRESS LISTED AT TOP OF THIS NOTICE.**

(The fee is required of all persons, non-governmental agencies, out-of state government agencies and federal government agencies. Public Schools within the State of Maine are exempt from the fee. Governmental agencies within the State of Maine, for licensing purposes where a fee is charged for the license and the record check is NOT mandated by law, are subject to the fee of \$31.00. Government agencies within the State of Maine, for non-licensing purposes or for licensing purposes where no fee is collected or record check is mandated by law, are exempt from the fee.)

If you have questions, please call (207) 624-7240.



STATE OF MAINE
Department of Public Safety
Maine State Police
State Bureau of Identification
45 Commerce Drive, Suite 1
42 State House Station
Augusta, Maine 04333-0042
207-624-7240

PAUL R LEPAGE
GOVERNOR

COL. PATRICK J. FLEMING
CHIEF

JOHN E. MORRIS
COMMISSIONER

LT. COL. ROBERT A. WILLIAMS
DEPUTY CHIEF

As authorized by 16 M.R.S.A. C.3, SubC. VIII, section 615, I request all conviction data on file within the Maine State Bureau of Identification on the person listed below. (Please print clearly)

Purpose of Request: _____

Name: _____ Date of Birth: _____

Aliases, Maiden Name, Married Names: _____

Address _____

Person Inquiring: _____

Address: _____

Phone Number: _____

Signature: _____ Date: _____

* Checks or Money Orders payable to: **Treasurer, State of Maine** (\$31 per request or \$41.00 per request if you wish to have it notarized)

* Mail to the address given above.

SBI USE ONLY

Office Use

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

Type:

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

Owner Name _____ Phone Number _____

Business Name _____ Phone Number _____

Business Physical Location _____

City or Town _____ Zip Code _____

Business Mailing Address _____

City or Town _____ Zip Code _____

Franchise(s) Held _____

Sales Tax Number _____ Federal ID Number _____

E-mail Address: _____

Website Address: _____

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

LOCATION(S) _____ 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	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 (no fee if licensed as new, used, or equipment dlr.)		@ 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 (within 1 mile of EPB)		@ 100.00 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

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

Type:

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

Owner Name _____ **PhoneNumber** _____

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? _____

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>

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)

These questions ask about your display/repair area:

NOTE: Recyclers/Salvage is exempt

1. Does your business have at least 5,000 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
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
5. Does the sign contain the technician's address and telephone number? Yes No
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

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

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? _____

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
------------------------	-------	------

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**

Applicant's Name, Business Name and Business Address

BUILDING CODE, ZONING AND LAND USE REGULATORY ORDINANCE CLEARANCE

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: _____

Is required

Is not required

Has been issued

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 _____

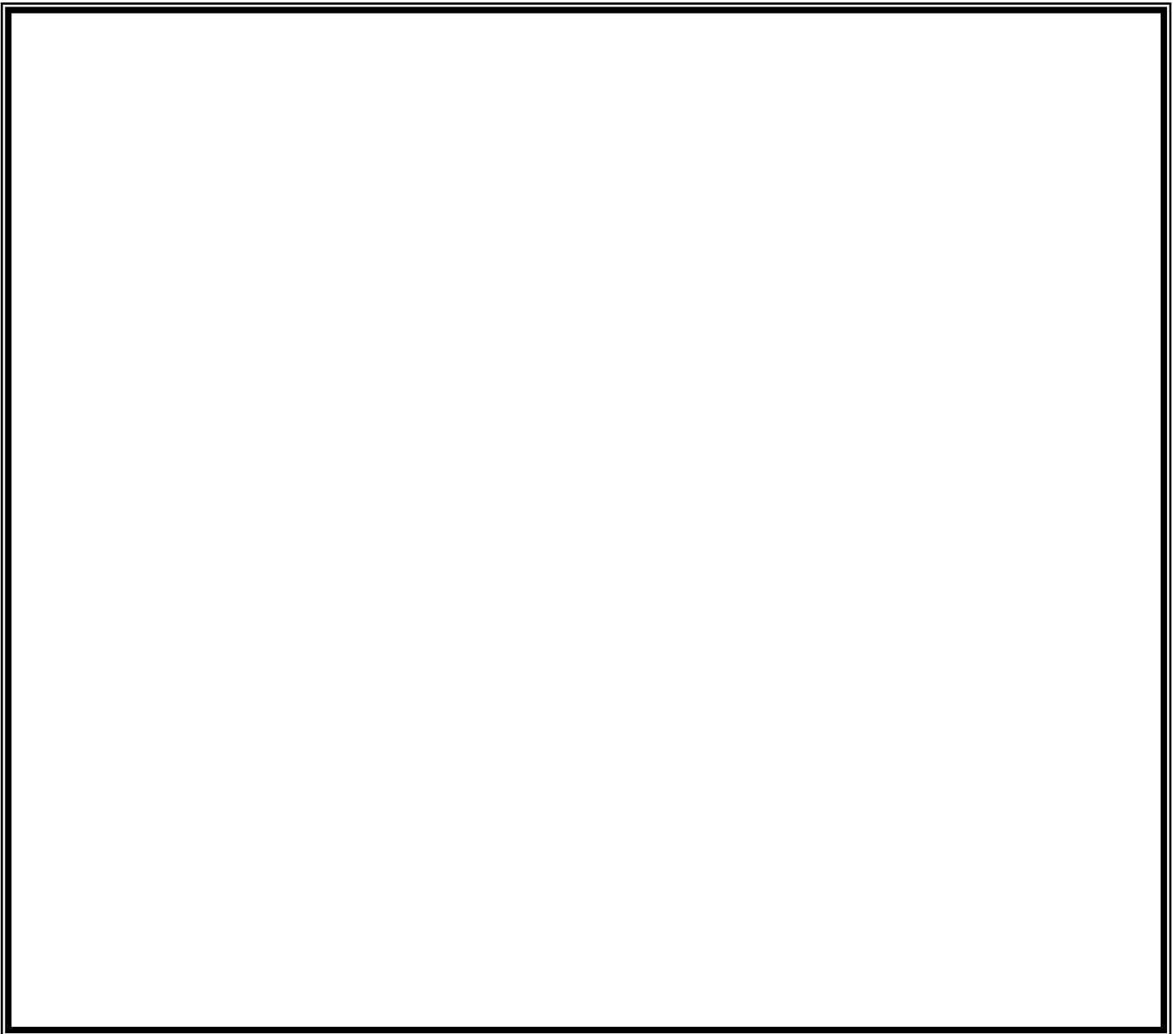
My commission expires: _____

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.



SURETY BOND FOR MOTOR VEHICLE DEALER

KNOW ALL MEN BY THESE PRESENTS: **Bond#** _____

That we, _____ of _____, State of Maine, as Principal, and
(Name of Dealership) (City/ town)
_____, a Corporation organized and existing under the laws of _____.
(Name of Bonding Company)

And authorized to do business in the State of Maine, as Surety, are held and firmly bound unto the Secretary of State, State of Maine, in the penal sum of _____ dollars (\$ _____), lawful money of the United States of America, for which payment well and truly be made, we and each of us, bind ourselves, our heirs, executors, administrators, personal representatives and assigns, jointly and severally, firmly by these presents.

SIGNED, SEALED and DATED this _____ day of _____, 20____.

Whereas the above bounden principal has or is about to make application to the Secretary of State, Bureau of Motor Vehicles, for a license authorizing said Principal to engage in the business of a motor vehicle dealer in accordance with Title 29A M.R.S.A., and all the rules promulgated thereunder by the Secretary of State, and if so licensed, said Principal is required to furnish a Surety Bond pursuant to 29A M. R. S. A. §901, SUB- §4.

Now, therefore, all conditions of this Obligation is such that if the said Principal shall faithfully observe the provisions of Title 29-A M. R. S. A., and all the rules promulgated thereunder relating to the business of a motor vehicle dealer, then this Obligation shall be null and void, otherwise to remain in full force and effect.

This bond shall be for the use and benefit of the Secretary of State, State of Maine, and for any person, firm or operation who may suffer loss because the Principal fails to comply with the above-mentioned laws and Rules.

Two types of Bonds are accepted by the Secretary of State, State of Maine from the principal and Surety.

This bond shall run concurrently with the period of the motor vehicle dealer's license granted to the Principal and shall **terminate at 11:59 p. m.** on the **last day** of the period of such license. If a continuation certificate is provided reflecting an expiration date, said bond will be valid up to that date. It will be continued in full force only if another continuation certificate is executed by the Surety and received by the Secretary of State, State of Maine.

The surety bond shall be concurrent with the period of the license granted to the Principal, and **shall remain in full force and effect for any renewal thereof**, and shall remain in full force until cancelled and provide the total liability of the surety herein. The total amount of the surety shall apply to each license year. This bond will be continuous bond and remain in effect until cancelled.

The surety may cancel this bond at any time by giving thirty (30) days written notice by registered or certified mail to the Secretary of State, State of Maine, Motor Vehicle Division.

Principal and Surety agree to be bound by the laws of the State of Maine as to the interpretation of this Instrument.

By _____
Witness

By: _____
Principal

Surety Company

By: _____
Witness

BY: _____
Attorney-in-fact _____

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 Buidling*. 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

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

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 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.