

# Dealer Inspection Requirements

# Transporting a Vehicle Using A Dealer Plate

A dealer or a transporter may operate a vehicle with a dealer plate on a public way only if the vehicle:

- A. Meets inspection standards;
- B. Is owned by the dealer or transporter and is operated by the owner of the business or an employee for the sole purpose of traveling to a body repair establishment and is mechanically safe but requires body repairs;
- C. Is owned by the dealer or transporter and is operated by the owner of the business or an employee for the sole purpose of traveling to an inspection facility; or
- D. Is operated by the dealer or transporter from a point of purchase (i.e., auto auction, distribution center, another dealer) to the licensee's place of business.

**An unsafe motor vehicle may not be operated using a dealer plate.**

# New Car Dealers

A new motor vehicle owned by a licensed new car dealer with a dealer plate is exempt from inspecting the vehicle until the vehicle is sold.

A motor vehicle that is sold or transferred to another person must meet inspection standards and display a valid inspection sticker that is issued within 60 days of sale.

**An unsafe motor vehicle may not be operated using a dealer plate.**

# Purchase of Vehicle

Dealers are subject to the following inspection guidelines when preparing a vehicle for sale:

1. When a dealer obtains a vehicle that bears a prior inspection sticker, that prior inspection sticker must be removed.
2. The dealer must have a licensed Maine Inspection Mechanic perform an inspection on the vehicle prior to displaying the vehicle for sale.

# Equipment Subject to Inspection

- A. Body components;
- B. Brakes;
- C. Exhaust system;
- D. Glazing;
- E. Horn;
- F. Lights and directional signals;
- G. Rearview mirrors;
- H. Reflectors;
- I. Running gear;
- J. Safety seat belts on 1966 and subsequent models;
- K. Steering mechanism;
- L. Tires;
- M. Windshield wipers;
- N. Catalytic converter on 1983 and subsequent models; and
- O. Filler neck restriction on 1983 and subsequent models.

A motor vehicle that is required to be registered in Cumberland County and that is subject to inspection must have an annual enhanced inspection. The following additional equipment is subject to inspection:

- A. The fuel tank cap on 1974 and subsequent models of gasoline-powered vehicles; and
- B. The on-board diagnostic system on 1996 and subsequent models.

A motor vehicle that is not required to be registered in Cumberland County may have an enhanced inspection.

# A Dealer Vehicle That Meets Inspection Standards

If a dealer vehicle **passes** inspection:

1. The vehicle must display a valid inspection sticker
2. The inspection sticker must have the dealer's license number printed on the backside of the sticker
3. The inspection sticker must be valid within 60 days of sale to a retail customer
4. The Used Car Buyer's Guide must indicate a minimum of a Warranty of Inspectability

# A Dealer Vehicle That Does Not Meet Inspection Standards

If the vehicle **fails** inspection:

1. The vehicle cannot display an inspection sticker
2. The vehicle may be displayed for sale if a fully completed Unsafe Motor Vehicle Certificate is displayed on the vehicle and the Used Car Buyer's Guide is completed to reflect the known condition of the vehicle
3. Vehicles that fail inspection that do not display an Unsafe Motor Vehicle Certificate cannot be displayed for sale and cannot be in the dealer's display area

# Unsafe Motor Vehicle Form

The Unsafe Vehicle Form **MUST**

- Be completed by a licensed inspection mechanic
- At a licensed inspection station
- Be a true and complete inspection, and
- Disclose all items that failed inspection

## UNSAFE MOTOR VEHICLE

**THIS CAR DOES NOT MEET MAINE'S INSPECTION LAWS AND IS UNSAFE TO DRIVE ON THE ROAD. THIS CAR WILL NEED TO BE REBUILT OR REPAIRED IN ORDER TO MEET MAINE'S INSPECTION LAWS AND BE SAFELY DRIVEN ON THE ROAD.**

The following inspection report should be reviewed carefully before purchasing this vehicle:

Make: CHEVROLET

Year: 1994

Model: MALIBU

VIN: 12045XK11Z1

	PASS	FAIL	COMMENT*
<input type="checkbox"/> A. Body components		X	RUST
<input type="checkbox"/> B. Brakes	X		
<input type="checkbox"/> C. Exhaust system	X		
<input type="checkbox"/> D. Glazing	X		
<input type="checkbox"/> E. Horn	X		
<input type="checkbox"/> F. Lights and directional signals	X		
<input type="checkbox"/> G. Rearview mirrors	X		
<input type="checkbox"/> H. Reflectors	X		
<input type="checkbox"/> I. Running gear	X		
<input type="checkbox"/> J. Safety seat belts		X	REAR BELTS BROKEN
<input type="checkbox"/> K. Steering mechanism	X		
<input type="checkbox"/> L. Tires		X	BALD
<input type="checkbox"/> M. Windshield wipers	X		
<input type="checkbox"/> N. Catalytic Converter	X		
<input type="checkbox"/> O. Fuel filler neck restriction	X		

Jack Smith  
Inspection Mechanic

93,527  
Mileage

John Doe  
Buyer's Signature

# 78  
Inspection Station #

5/1/2009  
Date of Inspection

6/20/2009  
Date of Sale

**THIS VEHICLE MUST BE TOWED FROM THIS LOCATION**

Voluntary comments by the inspecting mechanic

Check One:

Owner's Copy

Dealer's Copy

This is a copy (reduced in size) of the Unsafe Motor Vehicle Sticker. On the car, this is bright yellow.

The dealer MUST complete this sticker by disclosing exactly WHY the vehicle cannot pass inspection. Any written comments are voluntary.

If the consumer drives the vehicle off the dealer's lot, a court could conclude that the dealer is actually selling the car for transportation and not as an "Unsafe Motor Vehicle."

# When an “Unsafe Motor Vehicle” is sold

- Complete the disclosure portion of the Buyer’s Guide by writing “Unsafe Vehicle” in the Mechanical Defects Section
- No Warranties Apply
- Display the Unsafe Motor Vehicle Form next to the Used Vehicle Buyer’s Guide

# Unsafe Vehicle

- **CANNOT** be test driven
- **CANNOT** be driven from the dealership
- **CANNOT** be issued a 30-day temporary plate
- **CANNOT** have any inspection sticker
- **MUST** be towed/trailerred from the lot

## DEALER INSPECTION/DISCLOSURE REQUIREMENTS

When A Dealer obtains a vehicle, *regardless of whether he bought it wholesale, bought it at an auction, took it in trade or bought it out right*, he **MUST** remove the prior inspection sticker.  
Title 29-A MRSA §1754-2

The Dealer **MUST** have a Maine licensed inspection mechanic do an inspection of the vehicle, **PRIOR** to placing the vehicle on display or otherwise offering it for sale.  
Title 10 MRSA §1474-1

If the vehicle **PASSES** inspection, it **MUST** have:

- . A valid Maine Inspection Sticker WHICH WILL NEED TO BE RENEWED IF IT EXCEEDS 60 DAYS OLD ON THE DAY THAT IT IS SOLD TO A RETAIL CUSTOMER {T29 MRSA §1754-1C} *AND*
- . A properly completed Used Car Buyer's Guide DISCLOSING THE VEHICLE'S PRIOR USE, MECHANICAL DEFECTS & COLLISION HISTORY EVEN IF REPAIRED, AND INSPECTION, EXPRESS & IMPLIED WARRANTY INFORMATION {T10 MRSA §1475}

If the vehicle **FAILS** inspection, it **MUST** have:

- . **NO** inspection sticker whatsoever in the windshield **AND**
- . A properly completed Unsafe Motor Vehicle Certificate DISCLOSING THE SPECIFIC REASONS THE VEHICLE FAILED INSPECTION {T10 MRSA §1474-4} *AND*
- . A properly completed Used Car Buyer's Guide DISCLOSING THE VEHICLE'S PRIOR USE, MECHANICAL DEFECTS & COLLISION HISTORY, EVEN IF REPAIRED, AND ANY APPLICABLE WARRANTY INFORMATION {T10 MRSA §1475}

### §1474 – WARRANTY

A dealer warrants that the motor vehicle the dealer sells, negotiates the sale of, offers for sale, or transfers to a person, other than another dealer, **HAS BEEN INSPECTED**. T10 MRSA Section 1474-1, T29A MRSA Section 1751 and 1758-1

# **Please refer to the following for additional guidance:**

- M.R.S.A Title 29-A Sections 1751, 1754
- M.R.S.A Title 10 Sections 1474-1475
- Secretary of State Rules and Regulations Chapter 103 and Chapter 104