

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SECOND LEGISLATURE

Legislative Document

No. 1526

S. P. 535

In Senate, May 11, 1965

Reported by Senator Shiro of Kennebec, from Committee on Transportation.
Printed under Joint Rules No. 10.

EDWIN H. PERT, Secretary

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-FIVE

AN ACT Revising the Motor Vehicle Dealer Registration Law.

Be it enacted by the People of the State of Maine, as follows :

Sec. 1. R. S., T. 5, § 2301, sub-§ 1, ¶ G, amended. That part of paragraph G of subsection 1 of section 2301 of Title 5 of the Revised Statutes which relates to the Maine Motor Vehicle Dealer Registration Board, is repealed as follows :

~~'Maine Motor Vehicle Dealer Registration Board.'~~

Sec. 2. R. S., T. 29, § 295, repealed and replaced. Section 295 of Title 29 of the Revised Statutes is repealed and the following enacted in place thereof :

§ 295. Powers and duties

It shall be the duty of the board to promulgate and establish rules, regulations and standards, not contrary to the laws of the State, to effectuate the purposes of the law relating to dealer and transporter vehicle registrations in the manner prescribed by Title 5, chapters 301 to 307.'

Sec. 3. R. S., T. 29, § 331, repealed and replaced. Section 331 of Title 29 of the Revised Statutes is repealed and the following enacted in place thereof :

§ 331. Dealer registration plates; application; fees

Every manufacturer or dealer in new or used motor vehicles may, instead of registering each motor vehicle owned or controlled by him, make application upon a blank provided by the Secretary of State for a general distinguishing number, color or mark. The Secretary of State, if satisfied that the applicant maintains a permanent place of business in the State where said applicant will be engaged in the business of buying and selling of motor vehicles, and is satis-

fied with the other facts stated in the application, and if satisfied that the applicant meets the minimum standards herein set forth, shall issue a certificate of registration. Such certificate of registration shall contain the name, place of residence and business of the applicant and the general distinguishing number, color or mark assigned to him and made in such form as the Secretary of State may determine, and all vehicles owned or controlled by such applicant shall be regarded as registered under such general distinguishing number, color or mark until sold, exchanged or operated for hire. To be eligible for the renewal of such motor vehicle dealer registration plates, the applicant must maintain in said State a permanent place of business where said applicant is engaged in the business of buying and selling motor vehicles, and must continue to meet the minimum standards herein set forth. To qualify as a dealer in new motor vehicles for the purposes of this Title, an applicant must possess a franchise contract from a manufacturer of motor vehicles and furnish the Secretary of State with a certificate from said manufacturer or its distributor that said contract is in force; must have proper facilities for the display and storage of new and used motor vehicles, a repair department capable of taking care of at least 2 motor vehicles simultaneously; must maintain an office and parts department suitable to conduct business; must possess sufficient tools and equipment for proper servicing and keep employed at least one mechanic having a thorough knowledge of the product handled, all in accordance with the rules, regulations and standards promulgated and established by the board. To qualify as a dealer in used motor vehicles for the purpose of this Title, an applicant must have proper facilities for the display of used motor vehicles, a suitable office in which to conduct business, and a suitable sign identifying the place of business; must maintain a repair department capable of taking care of at least 2 motor vehicles simultaneously; and sufficient tools and equipment for proper servicing; and must keep employed at least one mechanic having a thorough knowledge of the product handled; all in accordance with the rules, regulations and standards promulgated and established by the board; provided that the requirements as to dealers in used motor vehicles pertaining to repair and servicing facilities and mechanics shall not apply to present holders of motor vehicle dealer registration plates. The Secretary of State shall issue registration number plates in accordance with the following schedule: \$25 each for the first 4; and \$5 each for any additional. The number of plates to be issued shall be determined by the Secretary of State. Registration plates shall be furnished to replace lost or mutilated plates for \$1 each. On applications for registration, or for additional plates applied for during the period between the first day of September and 31st day of December in any year, $\frac{1}{2}$ of the registration fee shall be charged.'

Sec. 4. R. S., T. 29, § 332, amended. Section 332 of Title 29 of the Revised Statutes is amended to read as follows:

§ 332. Transporter registration plates; application; fees

1. **Application.** Heavy equipment dealers, farm machinery dealers, trailer dealers, semi-trailer dealers, dealers in mobile homes, finance companies, banks and junk dealers may make application to the ~~board~~ **Secretary of State**, upon a blank provided for that purpose, for a transporter registration certificate and plate, instead of registering each vehicle owned by them or temporarily in their custody, to be used for the transportation and delivery of such vehicles. Such

enumeration shall be deemed a partial enumeration and shall not operate to exclude other persons, firms or corporations from making such application, provided the transportation and delivery of such vehicles is an ordinary and usual incident to the operation of their businesses.

2. **Fees.** Transporter plates shall be issued for the uses provided for a fee of \$25 each for the first ~~3~~ 4 plates and ~~\$10~~ \$5 for each additional plate. In no event shall any such plates be used in lieu of registration plates issued under this Title; or be loaned to any person; or be used by the holder for personal purposes. The number of such plates to be issued shall be determined by the board, ~~which~~ **Secretary of State. The board** is empowered to determine such uses and authorized to prescribe reasonable limitations of use of such plates. Replacement registration plates shall be furnished to replace lost or mutilated plates for \$1 each.

3. **Use.** Holders of transporter plates may use them for demonstration purposes on the type of equipment for which they are registered.'

Sec. 5. R. S., T. 29, § 334, amended. The first paragraph of section 334 of Title 29 of the Revised Statutes is repealed and the following enacted in place thereof:

'The Secretary of State, after examining an application for dealer or transporter registration plates, may not issue same, stating the reason therefor. An applicant denied dealer or transporter plates may make appeal, as provided in section 2242. The Secretary of State may review any dealer or transporter registration granted, and following a hearing, may suspend or revoke said registration for any of the following reasons:'

Sec. 6. R. S., T. 29, § 335, repealed. Section 335 of Title 29 of the Revised Statutes is repealed.

Sec. 7. Effective date. This Act shall become effective on January 1, 1966.