

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 563

H.P. 389

House of Representatives, February 12, 1991

Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative O'GARA of Westbrook.
Cosponsored by Representative DAGGETT of Augusta.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

**An Act to Amend the Auctioneer Licensing Law Relating to the Sale of
Motor Vehicles at Public Auction.**

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

2
4 29 MRSA §366, sub-§1, as amended by PL 1989, c. 481, Pt. A,
§19, is further amended to read:

6 1. License. No A person may not engage in the business of
8 auctioning vehicles without having first been being issued a
vehicle auction business license by the Secretary of State in
accordance with this subchapter. No A vehicle auction business
10 license may not be issued ~~unless-and~~ until the Secretary of State
has ~~caused-to-be-made~~ causes a thorough inspection of the
12 premises upon which the proposed business is to be conducted.
Prior to the issuance of a vehicle auction business license, the
14 Secretary of State shall be satisfied that the proposed business
has ~~met~~ meets all the requirements of this section and that all
16 other general conditions and proposed methods of operation are
suitable for carrying on the business. This section does not
18 apply to state-licensed auctioneers or their employees when
acting as agents relative to the sale of any vehicle that is part
20 of an auction sale of business equipment on the business premises
or part of the liquidation of the equipment of several businesses.
22

24 STATEMENT OF FACT

26 Currently, all auctioneers are required to have separate
28 auto dealers' licenses to sell motor vehicles even though they
are bonded and licensed to conduct public auctions throughout the
State. This bill eliminates the need to have a separate license
30 when an auctioneer is acting only as an agent for the liquidation
of business equipment. It does not change the law that requires
32 an auctioneer who operates the typical weekly auto auction to
have an auto dealer's license.