

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

SECOND REGULAR SESSION-2004

Legislative Document

No. 1677

S.P. 609

In Senate, December 17, 2003

An Act To Exempt Classic Auto Dealers from Dealer Plate Restrictions

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to
Joint Rule 203.

Received by the Secretary of the Senate on December 16, 2003. Referred to the Committee
on Transportation pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 218.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator WESTON of Waldo.
Cosponsored by Representative ASH of Belfast and
Senator: President DAGGETT of Kennebec.

2 **Emergency preamble.** Whereas, Acts of the Legislature do not
become effective until 90 days after adjournment unless enacted
as emergencies; and

4
6 **Whereas,** Public Law 2003, chapter 496 requires that a motor
vehicle dealer be denied renewal of the dealer license if the
dealer sold fewer than 4 motor vehicles in the previous license
8 year; and

10 **Whereas,** because of the often low-volume annual sales of
classic autos, motor vehicle dealers who sell only classic autos
12 will be denied renewal of their dealer's license; and

14 **Whereas,** to ensure that motor vehicle dealers that sell only
classic autos may continue to do business, it is imperative that
16 this legislation take effect immediately; and

18 **Whereas,** in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
20 Maine and require the following legislation as immediately
necessary for the preservation of the public peace, health and
22 safety; now, therefore,

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

26 **Sec. 1. 29-A MRSA §903, sub-§3,** as amended by PL 2003, c. 496,
§1, is further amended to read:

28
30 **3. Plate reduction.** Upon renewal of a dealer license, the
number of plates allowed a motor vehicle dealer who fails to
32 sell, through retail sales, a minimum of one vehicle per month or
12 vehicles within a 12-month period must be reduced to one
dealer plate, and the motor vehicle dealer may not be issued a
34 dealer plate under section 1002, subsection 1, paragraph B. Upon
a 2nd application for renewal of a dealer license, a motor
36 vehicle dealer must be denied renewal if the Secretary of State
determines that the dealer sold fewer than 4 vehicles, through
38 retail sales, in the previous license year, at which time all
dealer credentials issued previously must be returned to the
40 Secretary of State.

42 A motor vehicle dealer who is denied a license renewal under this
subsection may not reapply until the license has been expired at
44 least one year.

46 A motor vehicle dealer who holds a vehicle auction business
license under section 1051 is exempt from this subsection.

48 A motor vehicle dealer who engages only in the sale of classic
50 autos is exempt from this subsection.

2 **Emergency clause.** In view of the emergency cited in the
preamble, this Act takes effect when approved.

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SUMMARY

8 This bill exempts dealers engaged exclusively in the sale of
classic autos from the minimum sales requirement of 12 vehicles
10 per year in order to obtain a renewal of a dealer license.