

MAINE STATE LEGISLATURE

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125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 265

H.P. 218

House of Representatives, February 1, 2011

An Act Relating to Motor Vehicle Dealer Licensing Requirements

Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in cursive script, reading "Heather J.R. Priest".

HEATHER J.R. PRIEST
Clerk

Presented by Representative BEAULIEU of Auburn.
Cosponsored by Senator THOMAS of Somerset and
Representatives: BICKFORD of Auburn, BOLDUC of Auburn, CELLI of Brewer, HAMPER
of Oxford, LAJOIE of Lewiston, WEAVER of York, Senator: PLOWMAN of Penobscot.

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

2 **Sec. 1. 29-A MRSA §952, sub-§1**, as enacted by PL 1993, c. 683, Pt. A, §2 and
3 affected by Pt. B, §5, is amended to read:

4 **1. Facilities.** To qualify for a dealer license, an applicant must maintain the
5 following facilities and personnel:

6 A. Facilities for the display of vehicles being handled;

7 B. A repair department for repair of ~~2~~ vehicles ~~simultaneously~~;

8 C. Sufficient tools and equipment for servicing of the vehicles handled;

9 D. A suitable office in which business is conducted and records of the business are
10 kept;

11 E. At least one mechanic, who may be the owner, who has a thorough knowledge of
12 the vehicles being handled; and

13 F. On all used motor vehicles offered for sale, the written vehicle history statement
14 required to be conspicuously affixed to the vehicle pursuant to Title 10, section 1475.

15 An applicant may meet the requirements of paragraphs B, C and E by entering into a
16 contract with a mechanic to perform repairs or leasing the applicant's facility to a
17 mechanic who performs repairs.

18 **Sec. 2. Secretary of State directed to amend rules governing motor**
19 **vehicle dealer licensing.** Before January 1, 2012, the Secretary of State shall amend
20 rules authorized by the Maine Revised Statutes, Title 29-A, section 153 establishing the
21 requirements for licensing motor vehicle dealers as provided in Title 29-A, section 952,
22 subsection 1.

23 **Sec. 3. Secretary of State to convene a working group; licensing**
24 **requirements for motor vehicle dealers.** The Secretary of State shall convene a
25 working group, including, but not limited to, representatives from the Department of the
26 Secretary of State, Bureau of Motor Vehicles and new and used motor vehicle dealers to
27 study licensing requirements for new and used motor vehicle dealers. The working group
28 shall submit a report including its findings and recommendations to the Joint Standing
29 Committee on Transportation no later than January 15, 2012. After reviewing the report,
30 the committee may submit a bill to the Second Regular Session of the 125th Legislature
31 concerning the requirements for licensing motor vehicle dealers.

32 **SUMMARY**

33 This bill eliminates the requirement that a motor vehicle dealer, to qualify for a dealer
34 license, maintain a repair department that accommodates the repair of 2 vehicles
35 simultaneously. This bill provides that, for the purpose of providing repair services, a
36 motor vehicle dealer may enter into a contract with a mechanic to perform repairs or may
37 lease the dealer's facility to a mechanic who performs repairs.

1 This bill directs the Secretary of State to amend rules establishing the requirements
2 for licensing motor vehicle dealers before January 1, 2012. This bill also directs the
3 Secretary of State to convene a working group to study licensing requirements for motor
4 vehicle dealers and directs the working group to submit a report to the Joint Standing
5 Committee on Transportation. This bill gives the committee authority to submit a bill to
6 the Second Regular Session of the 125th Legislature concerning licensing requirements
7 for motor vehicle dealers.