

MAINE STATE LEGISLATURE

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E I G H T Y - N I N T H L E G I S L A T U R E

Legislative Document

No. 786

S. P. 385

In Senate, February 14, 1939.

Referred to Committee on Motor Vehicles. Sent down for concurrence and 500 copies ordered printed.

ROYDEN V. BROWN, Secretary.

Presented by Senator Beckett of Washington.

S T A T E O F M A I N E

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
THIRTY-NINE

AN ACT Relating to Dealers in Motor Vehicles.

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

Sec. 1. R. S., c. 29, § 60, amended. Section 60 of chapter 29 of the revised statutes, as amended, is hereby further amended to read as follows:

‘Sec. 60. Dealer’s registration; fees for plates; vehicles under dealer’s registration not to be operated for hire; application upon blank provided by secretary of state; limitation of use of commercial vehicle so registered.

Every manufacturer, ~~or~~ dealer **and licensed dealer** in motor vehicles or trailers, may, instead of registering each 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 ~~may~~ if satisfied with the facts stated in the application, **may** grant the application and issue to the applicant a certificate of registration, containing the name, place of residence, and address 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 manufacturer or dealer** shall be regarded as registered under such general distinguishing number, color, or mark until sold, exchanged, or operated for hire. The annual fee for every such certificate of registration shall be ~~thirty dollars~~ **\$60**. The secretary of state

shall furnish the ~~manufacturer or dealer~~ applicant with ~~three~~ 4 pairs of registration number plates free of cost; and there may be issued to any such applicant 2 similar pairs of plates, in addition to the ~~three~~ 4 pairs so issued upon payment of \$10 for each such additional pair and upon payment of \$5 per pair, additional plates shall be furnished. Extra registration plates shall be furnished to replace lost or mutilated plates for 75c each. Single plates shall be furnished for trailers. On applications for registration, or for additional plates applied for by ~~said manufacturers or dealers~~ during the period between the 1st day of September and the 31st day of December in any year, $\frac{1}{2}$ of the registration fee shall be charged. No motor truck, tractor, or trailer registered under this section shall be used for other than demonstration **or emergency purposes.**'

Sec. 2. R. S., c. 29, § 62, amended. Section 62 of chapter 29 of the revised statutes is hereby amended to read as follows:

'Sec. 62. Dealers' registration fee to be paid before December 31st of preceding year; proviso; "dealer" and "licensed dealer" defined. Every manufacturer, ~~or dealer and licensed dealer~~ in motor vehicles shall pay to the secretary of state the required registration fee for the succeeding year on or before the 31st day of December annually; provided that any manufacturer, dealer, **or licensee** commencing business after the 1st day of January of any year shall pay the fee at the time of commencing business. The word "dealer" as used in this chapter shall mean any person, firm or corporation which is ~~actively engaged in the business of buying, selling or exchanging motor vehicles and having an established place of business for such purpose, or which has a bona fide contract for buying, selling or exchanging motor vehicles with any wholesale dealer in or manufacturer of motor vehicles~~ a recognized agent of a motor vehicle manufacturer, or a seller of motor vehicles made by such manufacturer whose authority to sell the same is created by a written contract with such manufacturer, or with some person authorized in writing by such manufacturer to enter into such contract, and whose principal business is the sale of new motor vehicles, the sale of second-hand motor vehicles being incidental thereto. The words "Used car dealer" as used in this chapter shall mean any person, firm, or corporation whose principal business is the buying and selling of second-hand motor vehicles.'

Sec. 3. R. S., c. 29, additional. Chapter 29 of the revised statutes is hereby amended by adding thereto 3 new sections to be numbered 69-A, 69-B and 69-C, and to read as follows:

'Sec. 62-A. License required for used car dealers. No used car dealer

shall engage in the business set forth in the application therefor, until granted a license, and appropriate number plates issued therefor. On written application, in such form and detail as the secretary of state may provide, accompanied by a fee of \$5, the secretary may grant a license to conduct the business specified, which shall expire on the 31st day of December following the date of issue, unless sooner revoked. Such license may be annually renewed on payment of like fee. Before granting any license, the secretary of state shall be satisfied that the applicant is a resident of this state, or authorized to do business herein, and that the applicant, and the agents thereof, are of good character and qualified to conduct the business requested in the application. The place, or places, to be occupied by the licensee for the purpose of carrying on the licensed business, shall be specified in the application and license. A supplemental license for change of location may be granted, without fee, at any time on written application.'

'Sec. 62-B. Causes for suspension or revocation of license. Any license may be suspended or revoked by the secretary of state, if it shall appear, after hearing, that the licensee or any agents or employees thereof, have committed any fraud, deception, or concealment pertinent to the license, or violated any law governing the registration, purchase, sale, transfer, or report of receipt, of any motor vehicle. All number plates issued to a licensee shall be surrendered as provided in section 108 of this chapter, upon suspension or revocation of any license granted under this act.'

'Sec. 62-C. Appeal. Any licensee aggrieved by the decision of the secretary of state in refusing, revoking or suspending a license, may, within 10 days thereafter, appeal from such decision to any justice of the superior court in the manner provided in section 46 of this chapter.'