

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act Relating to Motor Vehicle Dealer Licensing Requirements

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

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

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

- A. Facilities for the display of vehicles being handled;
- B. A repair department for repair of 2 vehicles *simultaneously*;
- C. Sufficient tools and equipment for servicing of the vehicles handled;
- D. A suitable office in which business is conducted and records of the business are kept;
- E. At least one mechanic, who may be the owner, who has a thorough knowledge of the vehicles being handled; and
- F. On all used motor vehicles offered for sale, the written vehicle history statement required to be conspicuously affixed to the vehicle pursuant to Title 10, section 1475.

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

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

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

SUMMARY

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

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