



Matthew Dunlap
Secretary of State

*Department of
the Secretary of State
Bureau of Motor Vehicles*

Patty A. Morneault
Deputy Secretary of State

David W. Guilmette
Director, Office of Investigation
& Dealer Licensing

Dear Prospective Applicant:

Enclosed is a copy of the requirements pertaining to recyclers and scrap processors, together with the proper application forms. Compliance with these requirements is necessary before you may be issued a State Recycler License.

The rules governing recyclers and scrap processors licensing and the requirements that must be met can be found on the State of Maine website at:

www.maine.gov/sos/cec/rules/29/250/250c103.doc

If you have any questions concerning the application material, please do not hesitate to contact Dealer Licensing at (207) 624-9000 Ext. 52143, or by mail to: Secretary of State, Bureau of Motor Vehicles, Dealer Licensing, 29 State House Station, Augusta, Maine 04333-0029.

Sincerely,

A handwritten signature in cursive script that reads "David W. Guilmette".

**David W. Guilmette
Director, Office of Investigation
& Dealer Licensing**

29 State House Station; 101 Hospital Street; Augusta, ME 04333-0029
Dealer Licensing
Email: dealerlicensing.bmv@maine.gov
(207) 624-9000 ext. 52143 Fax (207) 624-9126
TTY Users call Maine relay 711
MVD-378 Rev 02/2016



**STATE OF MAINE
BUREAU OF MOTOR VEHICLES
DEALER LICENSING
David W. Guilmette, Director**

Information for Recycler License Applicants

In order for the Secretary of State to issue a recycler license, the applicant shall:

- File the proper application and total fees to include the filing fee and licensing fee. If for some reason the license is not issued, the license fee will be rebated. The filing fee is nonrefundable by law.
- Complete a questionnaire and have it properly notarized.
- On the recycler zoning form provided for this purpose, furnish proof of compliance with building codes, zoning and land use ordinances. The form must be signed by an official of the city/town where the business is being licensed, and the official's signature must be notarized.
- Submit a completed Maine State Police SBI background check to determine if there are any criminal records filed against any owners or corporate members.
- *If the applicant is an individual owner*, you must register your DBA with the city/town office in the municipality where the business is located.
- *If the business is a partnership*, submit a copy of the partnership agreement which must list the percent of ownership of each partner. Before it is submitted, the papers must be recorded at the city/town office in the municipality where the business is located.
- *If the business is a corporation*, submit a copy of the Articles of Incorporation from the State of Maine, or in a case of a foreign corporation, proof of authority to conduct business in Maine. In both cases, we also require a separate letter signed by the corporate clerk listing the names, titles, and percent of ownership of all members of the corporation. In addition, if the applicant intends to operate under an assumed name (or DBA), then an application for assumed name must be filed with the Bureau of Corporations. They can be reached at (207) 624-7752.

- In addition to the copies of your organizational documents from the Division of Corporations, you must provide a sworn affidavit (**must be notarized**) that includes the names, titles, and percentage of ownership of all involved in the business.
- *If the facility is not owned by the applicant*, submit a copy of the lease agreement. Requirements of the lease agreement are as follows: must include size of lot, size of building, size of office, size of repair area, must be signed by both the lessee and lessor and both signatures must be properly witnessed or notarized.
- Submit a copy of the plot plan. (Please include measurements)
- Obtain a sales tax number by contacting the Maine Revenue Services at (207) 624-9693.

Your application will be submitted to an inspection of the facility by a Bureau of Motor Vehicle Detective to determine that the facility meets at least the minimum requirements for the type of license you are requesting. Once a favorable report is received and approved, the recycler license will be issued.

All dealer licenses expire on the last day of the month, one year from issuance.



STATE OF MAINE
BUREAU OF MOTOR VEHICLES
DEALER LICENSING
David W. Guilmette, Director

REQUIREMENTS OF RECYCLERS AND MOBILE CRUSHERS

- A. **Established place of business.** The established place of business of a recycler or scrap processor shall:
1. Be a permanent location within the State which is easily accessible and open to the public at all reasonable times:
 - a. Is owned or leased by the applicant. If leased, a witnessed or notarized copy of the lease is required to be filed with the application;

Mobile crushers are exempt from this requirement.
 2. Have facilities which:
 - a. Are adequate for the storage and display of vehicles being handled; and
 - b. Facilities and display areas must be reasonably free of debris, hazards and unrelated materials.

Mobile crushers are exempt from this requirement.
 3. Have a suitable office which:
 - a. Is adequate for business being conducted;
 - b. Contains records of the business; and
 - c. Is reasonably free of debris, hazards and unrelated materials.
 4. Have business hours which are posted and clearly visible to the public;

Mobile crushers are exempt from this requirement.
 5. Display the license and supplement license(s) issued;
 6. Have an exterior sign which meets the following requirements (unless a municipality has established ordinances regulating signs contrary to these rules, whereupon the Secretary of State, upon notification by the dealer of such ordinances, may grant an exception to these rules to the dealer affected):

- a. The sign shall be permanently mounted, displayed at the established place of business and shall not be less than 12 square feet in surface size;
- b. The sign shall be visible from the entrance to the lot and the letters of the sign shall be readable from a distance of 200 feet; and
- c. The sign shall contain the trade or business name of the dealer and related businesses only.

Mobile crushers are exempt from this requirement.

7. Maintain records as follows:

- a. Records shall be maintained at the established place of business during posted business hours and shall be available for inspection by agents of the Secretary of State or the Office of the Attorney General or duly authorized members of law enforcement agencies. Dealers or mobile crushers, which do not have business hours between 8:00 a.m. and 5:00 p.m., shall make records available upon reasonable demand and advance notice by the Secretary of State, the Office of the Attorney General or law enforcement agencies;
- b. All records shall be kept for a minimum of 5 years in accordance with Title 29-A § 956-1;

B. **Application.** In addition to filling out the basic application, an applicant for a recycler, mobile crusher or scrap processor license shall:

1. Answer, on a form prescribed by the Secretary of State, basic questions relative to the ownership and facilities of the established place of business and shall swear before a notary as to the truthfulness of the answers;
2. Submit to an investigation as follows:
 - a. Upon receipt of an application for a recycler or scrap processor license, the Secretary of State shall conduct an investigation into the ownership and facilities of the established place of business. Periodic inspections of the premises and facilities will be conducted thereafter to ensure continued compliance with all applicable laws, rules and regulations;

Mobile crushers are exempt from an inspection of the premises and facilities.

- b. Prior to approval of an application, the applicant must submit a State Police (SBI) background report for all owners, including corporate owners and partners. The Secretary of State may require an SBI background report at the time of renewal for any dealership to be submitted with the renewal application.

3. Prior to approval of an application for a recycler or scrap processor license, a Detective's report shall be submitted to the Secretary of State affirming that the dealership entity conforms to all applicable laws, rules and regulations;

Mobile crushers are exempt from this requirement.

4. Pay the appropriate filing fee at the time of application in addition to the license fee. Any business licensed by the Secretary of State as a new car, used car or equipment dealer, pursuant to Title 29-A § 951, is exempt from the recycler license fee;
5. Notify the Secretary of State of the sales tax number as issued by the Maine Revenue Services;
6. Furnish copies of properly recorded partnership papers, authority to operate under an assumed name, if applicable, proof of incorporation in the State of Maine, or proof of authority for a foreign corporation to conduct business in the State of Maine;
 - a. Mobile crushers, based out-of-state, must have a registered agent in the State of Maine and provide that agent's name, address and telephone number with the application;

7. Furnish proof of compliance with applicable building codes, zoning codes and other land use regulatory ordinances in the Maine municipality where the established place of business is operated;

Mobile crushers are exempt from this requirement.

8. Furnish proof of compliance with 30-A M.R.S.A., subchapter I, Section 3753;

Mobile crushers are exempt from this requirement.

9. Furnish a copy of a plot plan for the premises;

Mobile crushers are exempt from this requirement.

10. File a new application and fees whenever the ownership structure changes; and

11. New applicants must attend and complete the Dealer/Title Workshop conducted by the Vehicle Services Training Specialist within 4 months of licensure.

C. Permit Requirement. Mobile crushers must apply for a permit prior to conducting business within the State of Maine. The permit will be issued at no fee and must contain the date(s) and location(s) of the activity. A permit application must be submitted to Dealer Licensing at least 48 hours each time prior to conducting business. The permit must be carried with the mobile crusher operator.

1. A mobile crusher being operated at a licensed recycler site is exempt from the permit requirement.



Matthew Dunlap
Secretary of State

*Department of
the Secretary of State
Bureau of Motor Vehicles*

Patty A. Morneault
Deputy Secretary of State

David W. Guilmette
Director, Office of Investigation
& Dealer Licensing

Dear Dealer Applicant:

In order to process your application for a dealer license, you must submit a completed Maine State Police, Bureau of Identification (SBI) search record. If you are an individual owner, please submit your own record; if it is a partnership, a record for each partner; and if it is a corporation, a record for each owner or corporate officers on the application.

To obtain your SBI record, complete the attached form and mail to:

Maine State Police
SBI Record Search
State House Station #42
Augusta, ME 04333-0042
Phone: 1-800-452-4664

You may also apply online at: www.informe.org/PCR/

If processing a SBI record by mail, a check must be made payable to Treasurer, State of Maine, in the amount of \$31.00 per owner listed. Payment by a credit card is needed for processing a SBI record online.

If you have any questions, please feel free to contact us at 624-9000 ext. 52143.

Sincerely,

A handwritten signature in cursive script that reads "David W. Guilmette".

David W. Guilmette
Director, Office of Investigation
& Dealer Licensing

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STATE BUREAU OF IDENTIFICATION

***45 COMMERCE DRIVE, SUITE 1
STATE HOUSE STATION #42
AUGUSTA, MAINE 04333***

In accordance with provisions as set forth in Title 16 M.R.S.A. Sec. 611 et seq., the State Bureau of Identification is authorized to disseminate adult, conviction data to anyone for any purpose and other information as authorized by law.

To obtain this information you must put your request in writing on letterhead stationery, if available, clearly identifying the following:

- 1. NAME OF PERSON INQUIRED UPON AND ANY OTHER NAMES USED
PREVIOUSLY, i.e.; MAIDEN NAME, OTHER MARRIED NAMES, ALIASES**
- 2. COMPLETE DATE OF BIRTH**
- 3. PURPOSE OF REQUEST, i.e.; EMPLOYMENT, VISA**
- 4. INQUIRER'S NAME, ADDRESS AND TELEPHONE NUMBER**
- 5. FEE OF \$31.00 (\$41.00 if notarized copy is required) FOR EACH PERSON INQUIRED UPON, DUE AT THE TIME THE INQUIRY IS MADE. (Make check payable to: *TREASURER, STATE OF MAINE.*)**
- 6. MAIL INQUIRY TO ADDRESS LISTED AT TOP OF THIS NOTICE.**

(The fee is required of all persons, non-governmental agencies, out-of state government agencies and federal government agencies. Public Schools within the State of Maine are exempt from the fee. Governmental agencies within the State of Maine, for licensing purposes where a fee is charged for the license and the record check is NOT mandated by law, are subject to the fee of \$31.00. Government agencies within the State of Maine, for non-licensing purposes or for licensing purposes where no fee is collected or record check is mandated by law, are exempt from the fee.)

If you have questions, please call (207) 624-7240.



STATE OF MAINE
Department of Public Safety
Maine State Police
State Bureau of Identification
45 Commerce Drive, Suite 1
42 State House Station
Augusta, Maine 04333-0042
207-624-7240

PAUL R LEPAGE
GOVERNOR

COL. PATRICK J. FLEMING
CHIEF

JOHN E. MORRIS
COMMISSIONER

LT. COL. ROBERT A. WILLIAMS
DEPUTY CHIEF

As authorized by 16 M.R.S.A. C.3, SubC. VIII, section 615, I request all conviction data on file within the Maine State Bureau of Identification on the person listed below. (Please print clearly)

Purpose of Request: _____

Name: _____ Date of Birth: _____

Aliases, Maiden Name, Married Names: _____

Address _____

Person Inquiring: _____

Address: _____

Phone Number: _____

Signature: _____ Date: _____

* Checks or Money Orders payable to: **Treasurer, State of Maine** (\$31 per request or \$41.00 per request if you wish to have it notarized)

* Mail to the address given above.

SBI USE ONLY

Office Use

Bureau of Motor Vehicles Application for a Dealer License

Type:

- New Application
 Additional License Type
 Annex Location
 Other (Specify) _____
 Change of Status
 Change of Location
 Secondary Location _____

Owner Name _____ Phone Number _____

Business Name _____ Phone Number _____

Business Physical Location _____

City or Town _____ Zip Code _____

Business Mailing Address _____

City or Town _____ Zip Code _____

Franchise(s) Held _____

Sales Tax Number _____ Federal ID Number _____

E-mail Address: _____

Website Address: _____

Please list any annex or secondary location(s) where business will be conducted under same license:

LOCATION(S) _____ Phone Number _____

In the columns below please check off the types of licenses you are applying for and enter the appropriate fee. Total the far right column and enter the amount at the bottom.

Types of Licenses	License	License Fee	Total Fee
New Car Dealer License		@ 150.00 ea.	
Used Car Dealer License		@ 150.00 ea.	
Loaner License		@ 150.00 ea.	
Equipment Dealer License		@ 150.00 ea.	
Transporter License		@ 150.00 ea.	
Recycler License (no fee if licensed as new, used, or equipment dlr.)		@ 150.00 ea.	
Auction License		@ 150.00 ea.	
Heavy Trailer License (over 3,000 lbs.)		@ 150.00 ea.	
Light Trailer License (3,000 lbs. or less)		@ 50.00 ea.	
Motorcycle Dealer License		@ 50.00 ea.	
Annex License		@ 150.00 ea.	
Secondary Location (within 1 mile of EPB)		@ 100.00 ea.	
Filing Fee - If you are applying for a new license, changing a business location, or changing ownership or corporate structure.			
Add \$150.00			
TOTAL (Total Amount from Back and Front)			

Please list below the name, address, date of birth, and title of **each** owner, partner, or officer in your business.

Name	Address	Date of Birth	Title

Applicant Questionnaire for the Licensing of Dealers, Transporters, Loaners or Recyclers

Type:

- New Application
 Additional License Type
 Annex Location
 Other (Specify)
 Change of Status
 Change of Location
 Secondary Location _____

Owner Name _____ Phone Number _____

Business Name _____ Phone Number _____

Business Physical Location _____

City or Town _____ Zip Code _____

Business Mailing Address _____

City or Town _____ Zip Code _____

What type of business are you licensing? _____

Please answer each question by check marking either Yes or No.

1. Is there now or was there previously a licensed dealership at your location? Yes No
 If Yes please supply name of dealership: _____
 If Yes, were you an owner of this dealership? Yes No
2. Is there any other business at this location? Yes No
 If Yes, what is the name and type of this business? _____
3. Do you own that business? Yes No
4. What days and hours is your business open? _____
5. Do you currently have ownership in any other dealership? Yes No
 If Yes, please list the dealership(s) name and license types and numbers:

Dealership(s) Name

License Type & Number

These questions ask about your established place of business:

1. Is your business located in a permanently enclosed commercial building? Yes No
2. Is your business located on one parcel of land? Yes No
3. Do you own the property & buildings? Yes No
4. Do you lease the property & buildings? Yes No
 (If Yes, enclose a copy of the lease)

These questions ask about your display/repair area:

NOTE: Recyclers/Salvage is exempt

1. Does your business have at least 5,000 sq. ft. of display area in or adjoining the building? Yes No
2. Do you lease your repair facility? If so, a copy of that lease must be provided to BMV. Yes No
3. Do you lease your repair facility to a Maine Inspection Technician? Yes No
4. If you lease your repair facility, do you have a minimum 2' x 3' sign stating that any repair work done on site for the dealership will be performed by the technician leasing the space? Yes No
5. Does the sign contain the technician's address and telephone number? Yes No
6. Do you have the tools and equipment needed to repair and service vehicles properly? Yes No
7. Do you have an air compressor? Yes No
8. Do you have a hydraulic jack or lift? Yes No
9. Do you have a full set of mechanics tools? Yes No
10. Does the owner or an employee work as a mechanic at least 30 hrs. per week? Yes No

**SECRETARY OF STATE
BUREAU OF MOTOR VEHICLES
STATE HOUSE STATION 29
AUGUSTA, MAINE 04333**

**VEHICLE SALVAGE DEALER AND RECYCLER LICENSE
BUILDING CODE, ZONING AND LAND USE REGULATORY ORDINANCE CLEARANCE**

Applicant's Name, Business Name and Business Address

Dear Sir:

As required by the Secretary of State, the above named applicant, at the location shown, is in compliance with all local building codes; zoning and land use regulatory ordinances and has the required permits issued by this municipality to conduct business as a vehicle salvage/recycler dealer.

This applicant's business is required to be issued a permit pursuant to Title 30-A, Section 3753 subchapter 1: Junkyards and automobile graveyards. This permit is a prerequisite to being licensed as a recycler.

Has been issued

Will be issued

Will not be issued

Signature - Authorized City/Town Official

Title

NOTARIZATION REQUIRED

STATE OF MAINE - County of _____ Date _____ 20_____. Then personally appeared the above authorized city/town official named _____ and acknowledged the foregoing instrument under oath to be his/her free act and deed.

Notary Public or Attorney: _____

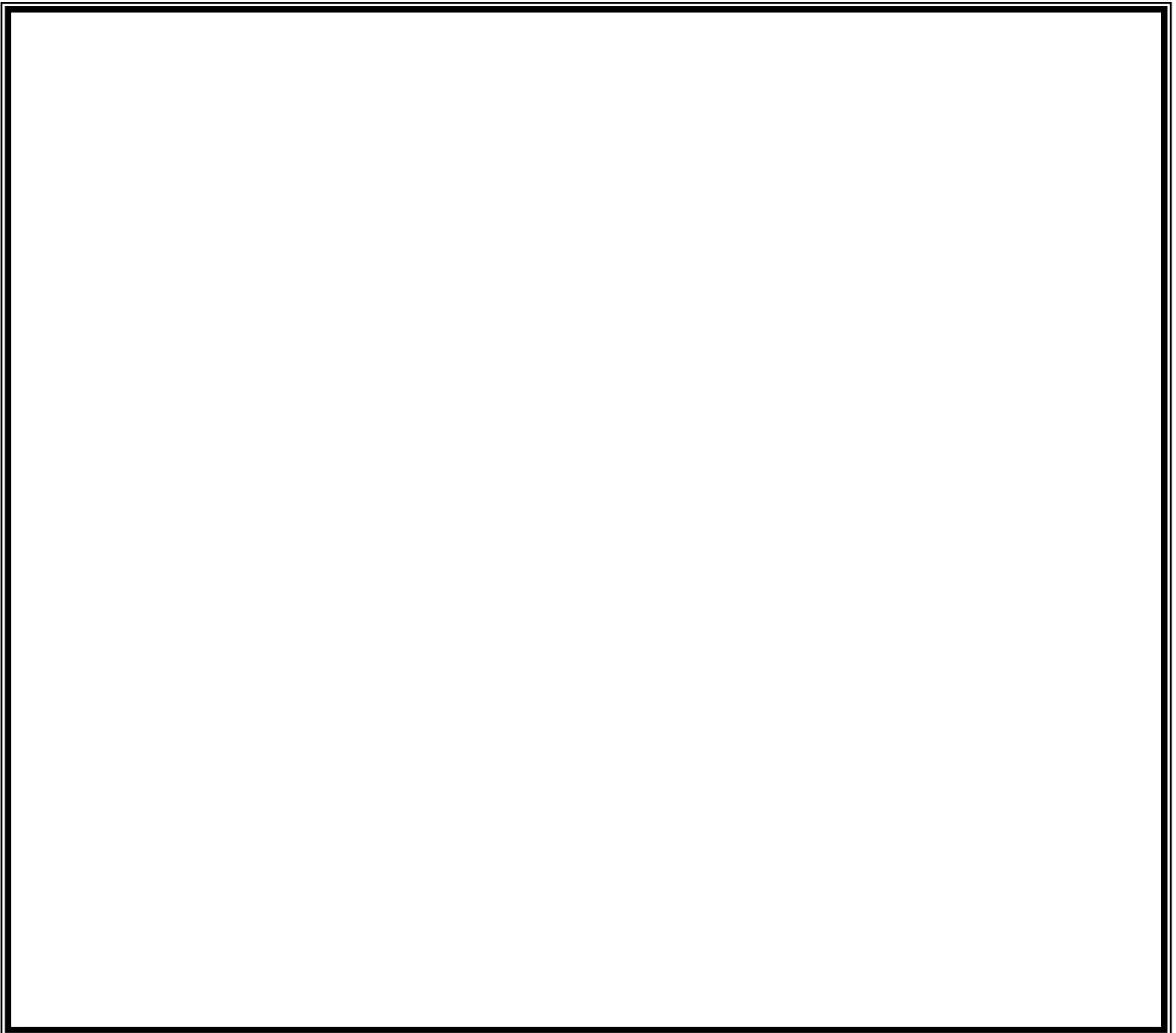
My commission expires: _____

Dealership Plot Plan

Dealership Name: _____

Dealership Location (Physical Location) _____

Please use the area provided below to draw a layout of your facility. Include the dimensions of the office area, repair area, and the display area. Also indicate where the sign will be posted. If there are any other businesses operating at this same location, show their area as well.



SAMPLE LEASE

I, *Lessor Name*, agrees to lease to *Lessee Name & Business Name*, a parcel of land and building thereon located on *Street Address & Town*

This parcel consists of a lot *Size of Lot*, and a building, *Size of Buidling*. This building consists of an office, *Size of Office*, and a repair area, *Size of Repair Area*.

This lease will be valid for one year from this date, *Beginning Date of Lease*, and will be renewed yearly thereafter. This lease may not be terminated by either party without 30 days written notice.

Witness

Lessee

Witness

Lessor

This “Sample Lease” is provided for your convenience in submitting the required lease, if you presently lease/rent your place of business.

SAMPLE LEASE

I, _____, agrees to lease _____,
a parcel of land and building thereon located on _____,
_____.

This parcel consists of a lot _____, and a building, _____. This
building consists of an office, _____, and a repair area, _____.

This lease will be valid for one year from this date, _____, and
will be renewed yearly thereafter. This lease may not be terminated by either party
without 30 days written notice.

Witness

Lessee

Witness

Lessor

**This "Sample Lease" is provided for your convenience in submitting the required
lease, if you presently lease/rent your place of business.**

SAMPLE PARTNERSHIP AGREEMENTS

EXAMPLE “A”

January 1, 2012

We, *John Doe and Barbara Smith*, have formed a partnership in connection with the business of *John & Barbara’s Used Cars*, located on the *Brown Road* in *Caribou Maine*.

EXAMPLE “B”

January 1, 2012

We, *John Doe and Barbara Smith*, have formed a partnership in connection with the business *of John & Barbara’s Used Cars*, located on *the Brown Road* in *Caribou Maine*. This is a *a 60/40* partnership, with *John Doe* at 60% owner of the business.

EXAMPLE “C”

January 1, 2012

We, *John Doe and Barbara Smith, & Dexter Jones* have formed a partnership in connection with the business *of J-B-D Used Cars*, located *on Route 1* in *Caribou Maine*. This is a *50/30/20* partnership with the ownership as follows:

John Doe	50%
Barbara Smith	30%
Dexter Jones	20%

These samples are provided for your convenience to assist you in writing your own partnership agreement. However, the above formats are not mandatory forms. For legal reasons, you may wish to have a lawyer assist you with your partnership papers.

If you choose to use on of the above forms, it must be signed by both or all partners, and each signature must be individually witnessed and notarized. These papers must then be recorded with the city hall or town office of the municipality in which your business is located.