

PROCEDURES FOR CLASS I, CLASS II AND CLASS III LICENSES
NEW & TRANSFER

1. APPLICATION
 - a. To be filled out completely, leaving no blank answers;
 - b. Full description of premises, (bathrooms, doors, entrances, exits, etc.) include number of cars requested (Note: office has to be maintained where business is located. Log book shall be available on the premises at all times)
2. Worker's Compensation Form
3. Floor plan of premises (Hand drawn acceptable)
4. Applicant must provide repair services to back up warranties per Massachusetts General Laws (see attached) If the repair shop is not on the premises, the applicant will submit a notarized letter from the repair facility that has agreed to provide the required repairs.
5. Applicant must get approval from the following departments:
 - a. Building Commissioner/Zoning Enforcement Officer
 - b. Conservation Commission
 - c. Treasurer/Collector
6. C.O.R.I. (Criminal Offender Record Information) Form will be completed in person in Selectmen's office upon **completion** of application. Owner/Manager must be on premise for at least 40 hours a week.
7. Upon submittal of completed application package, it will be placed on the next available Board of Selectmen's meeting upon proper hearing notices. Applicant will be notified of date and time.
8. Applicant to reimburse town for posting of hearing notice in paper and certified mailings to abutters.
9. Applicant to appear at the hearing.
10. Upon approval by the Board of Selectmen, applicant to submit a check or money order in the amount of \$100.00 made out to the Town of Charlton. Payment to be made at the Treasurer/Collectors office prior to release of license.
11. Proof of Bonding required prior to release of license.

THE COMMONWEALTH OF MASSACHUSETTS

OF

APPLICATION FOR A LICENSE TO BUY, SELL, EXCHANGE
OR ASSEMBLE SECOND HAND MOTOR VEHICLES
OR PARTS THEREOF

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I, the undersigned, duly authorized by the concern herein mentioned, hereby apply for a class license, to Buy, Sell, Exchange or Assemble second hand motor vehicles or parts thereof, in accordance with the provisions of Chapter 140 of the General Laws.

1. What is the name of the concern?

Business address of concern. No

..... City - Town.

2. Is the above concerned an individual, co-partnership, an association or a corporation?

3 . If an individual, state full name and residential address.

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4 . If a co-partnership, state full names and residential addresses of the persons composing it.

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5. If an association or a corporation, state full names and residential addresses of the principal officers.

President

Secretary

Treasurer

6. Are you engaged principally in the business of buying, selling or exchanging motor vehicles?

If so, is your principal business the sale of new motor vehicles?

Is your principal business the buying and selling of second hand motor vehicles?

Is your principal business that of a motor vehicle junk dealer?

Phone Number:

7. Give a complete description of all the premises to be used for the purpose of carrying on the business.....
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8. Are you a recognized agent of a motor vehicle manufacturer?
(Yes or No)

If so, state name of manufacturer
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9. Have you a signed contract as required by Section 58, Class I?
(Yes - or No)

10. Have you ever applied for a license to deal in second hand motor vehicles or parts thereof?
(Yes or No)
If so, in what city - town

Did you receive a license? For what year?
(Yes or No)

11. Has any license issued to you in Massachusetts or any other state to deal in motor vehicles or parts thereof ever been suspended or revoked?
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Sign your name in full
(Duly authorized to represent the concern herein mentioned)

Residence

IMPORTANT

EVERY QUESTION MUST BE ANSWERED WITH
FULL INFORMATION, AND FALSE STATEMENTS
HEREIN MAY RESULT IN THE REJECTION OF
YOUR APPLICATION OR THE SUBSEQUENT
REVOCAION OF YOUR LICENSE IF ISSUED.

NOTE: If the applicant has not held a license in the year prior to this application, he must file a duplicate of the application with the registrar. (See Sec. 59)

12. Is this your principal business?

13. Do you have repair facilities on the premise?

13 b. If not, do you have access to repair facilities sufficient to enable you to satisfy the warranty repair obligations of the so-called "Lemon Law"?

14. Will you be selling and storing vehicles on the premise?

14b. If not, where will the vehicles be stored?

APPLICANT WILL NOT FILL THE FOLLOWING BLANKS

Application after investigation
(Approved or Disapproved)

License No..... granted20Fee \$.....

Signed
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CHAPTER 140 OF THE GENERAL LAWS, TER. ED., WITH AMENDMENTS THERETO (EXTRACT)

SECTION 57. No person, except one whose principal business is the manufacture and sale of new motor vehicles but who incidentally acquires and sells second hand vehicles, or a person whose principal business is financing the purchase of or insuring motor vehicles but who incidentally acquires and sells second hand vehicles, shall engage in the business of buying, selling, exchanging or assembling second hand motor vehicles or parts thereof without securing a license as provided in section fifty-nine. This section shall apply to any person engaged in the business of conducting auctions for the sale of motor vehicles.

SECTION 58. Licenses granted under the following section shall be classified as follows:

Class 1. Any person who is 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 purchase and sale of second hand motor vehicles being incidental or secondary thereto, may be granted an agent's or a seller's license; provided, that with respect to second hand motor vehicles purchased for the purpose of sale or exchange and not taken in trade for new motor vehicles, such dealer shall be subject to all provisions of this chapter and of rules and regulations made in accordance therewith applicable to holders of licenses of class 2.

Class 2. Any person whose principal business is the buying or selling of second hand motor vehicles may be granted a used car dealer's license.

Class 3. Any person whose principal business is the buying of second hand motor vehicles for the purpose of remodeling, taking apart or rebuilding the same, or the buying or selling of parts of second hand motor vehicles or tires, or the assembling of second hand motor vehicle parts, may be granted a motor vehicle junk license.

SECTION 59. The police commissioner in Boston and the licensing authorities in other cities and towns may grant licenses under this section which shall expire on January first following the date of issue unless sooner revoked. The fees for the licenses shall be fixed by the licensing board or officer, but in no case shall exceed \$100 dollars. Application for license shall be made in such form as shall be approved by the registrar of motor vehicles, in sections fifty-nine to sixty-six, inclusive, called the registrar, and if the applicant has not held a license in the year prior to such application, such application shall be made in duplicate, which duplicate shall be filed with the registrar. No such license shall be granted unless the licensing board or officer is satisfied from an investigation of the facts stated in the application and any other information which they may require of the applicant, that he is a proper person to engage in the business specified in section fifty-eight in the classifications for which he has applied, that said business is or will be his principal business, and that he has available a place of business suitable for the purpose. The license shall specify all the premises to be occupied by the licensee for the purpose of carrying on the licensed business. Permits for a change of situation of the licensed premises or for addition thereto may be granted at any time by the licensing board or officer in writing, a copy of which shall be attached to the license. Cities and towns by ordinance or by-law may regulate the situation of the Premises of licensees within class 3 as defined in section fifty-eight and all licenses and permits issued hereunder to persons within said class 3 shall be subject to the provisions of ordinances and by-laws which are hereby authorized to be made. No license or Permit shall be issued hereunder to a person within said class 3 until after a hearing, of which seven days notice shall have been given to the owners of property abutting on the premises where such license or permit is proposed to be exercised. All licenses granted under this section shall be revoked by the licensing board or officer if it appears, after hearing, that the licensee is not complying with sections fifty-seven to sixty-nine, inclusive, or the rules and regulations made thereunder; and no new license shall be granted to such person thereafter, nor to any person for use on the same premises, without the approval of the registrar. The hearing may be dispensed with if the registrar notifies the licensing board or officer that a licensee is not so complying. Any person aggrieved by any action of the licensing board or officer refusing to grant, or revoking a license for any cause may, within ten days after such action, appeal therefrom to any justice of the superior court in the county in which the premises sought to be occupied under the license or permit applied for are located. The justice shall, after such notice to the parties as he deems reasonable, give a summary hearing on such appeal, and shall have jurisdiction in equity to review all questions of fact or law and may affirm or reverse the decision of the board or officer and may make any appropriate decree. The decision of the justice shall be final.

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Application No

ClassLicense No

Name

St. and No.....

City - Town

Date Issued

Remarks