



# TOWN OF PLYMOUTH

26 Court Street  
Plymouth, Massachusetts 02360  
(508) 747-1620

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

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

The undersigned hereby makes application for a license to buy, sell, exchange, or assemble second hand motor vehicles or parts thereof, in accordance with the provisions of Chapter 140 of the Massachusetts General Laws:

License Applying For (Select One): Class I  Class II  Class III

Business Name: \_\_\_\_\_  
Business Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Email Address: \_\_\_\_\_

The applicant is applying as (select one):

Individual  Co-Partnership  Association/Corporation

If the applicant is an Individual, provide your full name and residential address:

Full Name: \_\_\_\_\_  
Address: \_\_\_\_\_

If the applicant is a Co-Partnership, provide the full names and residential addresses of the persons composing the co-partnership (use additional page if needed):

Full Name: \_\_\_\_\_  
Address: \_\_\_\_\_

Full Name: \_\_\_\_\_  
Address: \_\_\_\_\_

Full Name: \_\_\_\_\_  
Address: \_\_\_\_\_

If the applicant is an Association/Corporation, provide the full names, residential addresses, and titles of the principle officers (use additional page if needed):

Full Name/Title: \_\_\_\_\_  
Address: \_\_\_\_\_

Full Name/Title: \_\_\_\_\_  
Address: \_\_\_\_\_

Full Name/Title: \_\_\_\_\_  
Address: \_\_\_\_\_

1. Is the applicant primarily engaged in the business of buying, selling, or exchanging motor vehicles? Yes \_\_\_ No \_\_\_

2. Is the applicant's principle business the buying and selling of second hand motor vehicles? Yes \_\_\_ No \_\_\_

3. Is the applicant's principle business that of a motor vehicle junk dealer? Yes \_\_\_ No \_\_\_

Give a complete description of all the premises to be used for the purpose of carrying on the business:

4. Is the applicant a recognized agent of a motor vehicle manufacturer? Yes \_\_\_ No \_\_\_

If yes, state the name of the manufacturer: \_\_\_\_\_

5. Has the applicant signed a contract as required by Section 58, Class I? Yes \_\_\_ No \_\_\_

6. Has the applicant ever previously applied for a license to deal in second hand motor vehicles or parts thereof? Yes \_\_\_ No \_\_\_

If yes, in what city or town: \_\_\_\_\_

7. Did the applicant receive a license? Yes \_\_\_ No \_\_\_

If yes, what year was the license issued? \_\_\_\_\_

8. Has any license issued to the applicant to deal in second hand motor vehicle parts or parts thereof ever been suspended or revoked? Yes \_\_\_ No \_\_\_

9. Is this the applicant's principle business? Yes \_\_\_ No \_\_\_

10 Does the applicant have repair facilities on the premise? Yes \_\_\_ No \_\_\_

If no, does the applicant have access to repair facilities sufficient to enable them to satisfy the warranty repair obligations of the so-called "Lemon Laws"? Yes \_\_\_ No \_\_\_

Provide the following information of the facility that will perform repairs:

Business Name: \_\_\_\_\_

Business Address: \_\_\_\_\_

Business Phone: \_\_\_\_\_

11. Will the applicant be selling and storing vehicles on the premise? Yes \_\_\_ No \_\_\_

If no, where will the vehicles be stored:

\_\_\_\_\_

12. Will the applicant be selling to: Public \_\_\_ Other Car Dealers \_\_\_

**PLEASE PROVIDE A COPY OF A BOND OR EQUIVALENT PROOF OF FINANCIAL RESPONSIBILITY IN ACCORDANCE WITH MGL, CHAPTER 140, §58(c)1.**

Applicant (duly authorized to represent the concern herein mentioned):

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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

**APPLICANT WILL NOT FILL BELOW**

Application after investigation: Approved \_\_\_ Disapproved \_\_\_

Class:	_____
Name:	_____
Address:	_____
City/Town:	_____
Date Issued:	_____
Remarks:	_____

SIGNED:

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**Massachusetts General Law - Part I, Title XX, Chapter 140, Section 57: Sale of second hand vehicles; necessity of license; exceptions; auctions; reports**

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 or allow any property under his control to be used as a place of sale or display of motor vehicles without securing a license as providing in section fifty-nine. This section shall apply to any person engaged in the business of conducting auctions for the sale of motor vehicles, and to any person engaged in the business of leasing or renting motor vehicles and who, as an incident to such business, sells or offers to sell any such lease or rental vehicle to the public. All sales of second-hand motor vehicles or parts thereof made by any person referred to in this section shall be reported weekly to the registrar of motor vehicles on such forms as may be prescribed by him.

**Massachusetts General Law - Part I, Title XX, Chapter 140, Section 58: Classes [excerpt]**

Section 58. (a) Licenses granted under sections 59 and 59A shall be classified in accordance with subsections (b) to (d), inclusive.

(b) 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 applicable to holders of licenses of Class 2, except subsection (c), and to rules and regulations made under those provisions; and provided further, that such dealer maintains or demonstrates access to repair facilities sufficient to enable him to satisfy the warranty repair obligations imposed by section 7N1/4 of chapter 90, and shall remain liable for all warranty repairs made and other obligations imposed by said section 7N1/4 of said chapter 90.

(c) Class 2. A person whose principal business is the buying or selling of second hand motor vehicles, a person who purchases and displays second hand motor vehicles for resale in retail transactions, and any other person who displays second hand motor vehicles not owned by him pursuant to an agreement in which he receives compensation, whether solely for displaying the vehicles, upon the sale of each vehicle, or otherwise, may be granted a used car dealer's license and shall be subject to the following conditions:

(d) Class 3. A person whose principal business is the buying of second hand motor vehicles for the purpose of remodeling, taking apart or rebuilding and selling 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.

**Massachusetts General Law - Part I, Title XX, Chapter 140, Section 59: Licensing authorities; expiration; fees; application; prerequisites; premises; ordinance regulations; revocation; notice**

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 event shall any such fee be greater than \$200. 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 additions 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 original 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 the property abutting on the premises where such license or permit is proposed to be exercised. Except in the city of Boston, the licensing board or officer may, in its discretion, waive the annual hearing for renewal of a class 3 license. 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. In each case where such license is revoked, the licensing board or officer shall forthwith notify the registrar of such revocation. 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 parties shall have all rights of appeal as in other cases.