

Records and Other Dealer Compliance Requirements

Record Keeping

- For the purchase of any used motor vehicle, it is mandatory to have a signed copy of the incoming disclosure and the Used Car Buyer's Guide. It is not permissible for any dealer to sell, negotiate the sale of, offer for sale, or transfer any used motor vehicle without affixing a conspicuous written statement on the vehicle containing the necessary information as per subsection 2-a of Maine Title 10 subsection 1475.
- To ensure proper record-keeping, make duplicates of all paperwork and store them at the primary or annex location(s) in accordance with the law.
- Dealers are required to maintain a temporary plate log (Form MVI-0110A), which includes any voided temporary plates. A copy of the log is required to be submitted annually to Dealer Licensing upon renewal application.
- Keep the copies of the NOS (Notice of Sales) organized and available.
- These documents must be kept for a minimum of five years.

Incoming Disclosure

TRADE-IN / INCOMING DISCLOSURE		
CUSTOMER'S NAME		
MAKE:	MODEL:	YEAR:
MILEAGE:	TYPE:	COLOR:
VEHICLE IDENTIFICATION NUMBER:		
PRIOR SUBSTANTIAL DAMAGE TO BODY OR ENGINE: (INCLUDING AND THAT WAS REPAIRED)		
CUSTOMER SIGNATURE:		
DATE OF DISCLOSURE:		

The dealer is required to have an incoming disclosure from the prior owner.

- If purchased in a dealer-to-dealer sale or at an auction the buyer should receive a Used Car Buyer's Guide from the selling dealer.

A copy of the UCBG must be kept with the sales file as proof of incoming disclosure from the auction or previous dealer.

Auctions are required to have a statement in the records for each sale that a completed disclosure form was affixed to the vehicle before the sale.

- A dealer who purchases a vehicle directly from the previous owner will obtain a signed and dated incoming disclosure statement from that owner (This disclosure does not have to be on a UCBG but must be kept in the dealer's records).
- This information is collected to ensure that the dealer provides the proper disclosures when the vehicle is resold.

Used Car/New Car/Motorcycle/Trailer/Equipment Record Requirements

1. **Record of vehicles.** A dealer shall complete and maintain for a period of not less than 5 years after the date of transaction a record of the purchase or sale of a vehicle and the following:
 - A. A description of the vehicle, including make, model, model year, body type, vehicle identification number, color and whether the vehicle is new or used.
 - B. The name and address of the person from whom purchased.
 - C. The name of the legal owner, if different from the name from whom purchased.
 - D. The name and address of the purchaser
 - E. The mileage of the vehicle when received and sold.
 - F. Copies of the warranty and of the disclosure statement, pursuant to Title 10, Section 1474, received and issued by the dealer with the sale.
 - G. An invoice disclosing from whom the vehicle was obtained. If the vehicle was obtained from another dealer, the dealer's name must be disclosed.
 - H. On a used motor vehicle offered for sale, the written vehicle history statement required by Title 10, Section 1475.
 - I. Copies of titles, transfers, and other documents used for titling purposes.

Auction Record Requirements

1. **Record of sale.** A vehicle auction business must complete a record for each sale of a vehicle.
2. **Contents of record.** The record of sale must include the following:
 - A. A description of the vehicle.
 - B. The name of the transferor and transferee.
 - C. The date of the transaction.
 - D. The odometer reading at the time of sale.
 - E. A statement that a completed disclosure, as required by Title 10, Section 1475, Subsection 1 was affixed to the vehicle before sale.
 - F. Any additional information that may be required by the official form provided by the Secretary of State.
3. **Filing.** A copy of the record of sale must be filed with the Secretary of State immediately following the sale.
4. **Maintaining records.** The licensee shall maintain a copy of the record of sale for at least 5 years after the date of sale.
5. **Availability of records for inspection.** All books, records and files related to the sale of vehicles or vehicle parts must be available during normal business hours for inspection by the Secretary of State, law enforcement officers or representatives of the office of the Attorney General. The records must be kept in compliance with the federal Truth in Mileage Act of 1986, Public Law 99-579 and regulations promulgated under 49 Code of Federal Regulations, Part 580.

Recycler Record Requirements

1. **Record keeping.** A licensee shall maintain business records for 5 years, including:

A. A record of every vehicle received or disposed of; its make, model, model year, vehicle identification number; the date of its receipt or disposition; and the name and address of the person from whom received or to whom given.

A-1. A record of every component part, as defined in Section 602, subsection 2, received or disposed of; its part identifying number; the date of its receipt or disposition; and the name and address of the person from whom received or to whom given.

B. A record of every vehicle scrapped or dismantled by the licensee, the date of that action, and the vehicle's make, model, model year, and vehicle identification number.

C. A record of the seller's name and address from a government-issued photograph identification document or credential. For purposes of this subsection, "government-issued photograph identification document or credential" includes, but is not limited to, a current and valid United States passport, military identification card, driver's license, or nondriver identification card.

D. Copies of titles, transfers, and other documents used for titling purposes.

A licensed mobile crusher must maintain an operator log for each location. The log must contain the make, model, model year, and vehicle identification number of each vehicle crushed and the date of that action.

A scrap processor is exempt from the requirements set forth in paragraph A-1 for vehicles received that are already dismantled.

2. **Availability.** The records, the place of business, and the vehicles and vehicle parts in the possession of the licensee must be available for inspection during normal business hours by the Secretary of State, a law enforcement officer, or representatives of the office of the Attorney General.

The operator of a mobile crusher, as defined in section 1102-A, shall make that operator's records available in this State during normal business hours or in accordance with rules adopted by the Secretary of State.

Catalytic Converter Marking

For a motor vehicle sold at retail to the end consumer, engrave the vehicle identification number on the catalytic converter in a location that is visible from the underside of the motor vehicle. The vehicle identification number engraved on the catalytic converter must be legible. This paragraph does not require a dealer to engrave the vehicle identification number on the catalytic converter if:

1. The motor vehicle is sold at wholesale; or
2. The catalytic converter is not in a location where it is clearly visible from the underside of the motor vehicle.

A recycler may not remove a catalytic converter from a motor vehicle if the catalytic converter does not have the vehicle identification number of the vehicle engraved on the catalytic, unless the recycler, immediately upon removal, engraves or marks the catalytic converter in a location that is clearly visible, and in a manner that is permanent and legible, with:

1. The vehicle identification number of the motor vehicle; or
2. The recycler's license number and a stock number from a stock number system used by the recycler; or
3. The recycler's license number if the catalytic converter is purchased for final disposition.

Records of Catalytic Converter Purchases by Recyclers

A recycler shall maintain an accurate and legible record of each catalytic converter purchase transaction.

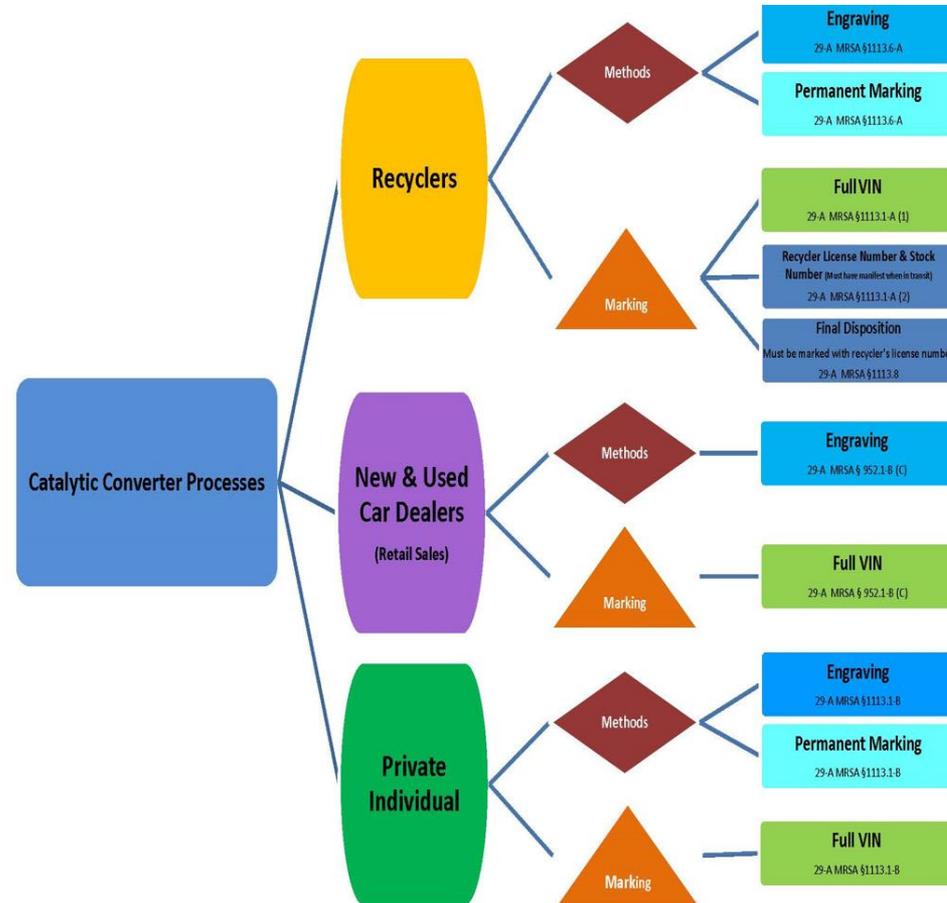
A recycler shall provide payment to a seller only in the form of a credit card, a debit card, or a check. If payment is made by check, the recycler shall maintain a record of the payee, check number, and name of the financial institution upon which the check is drawn.

A recycler is not required to maintain individual records for a series of catalytic converter purchase transactions made pursuant to a written contract or bill of sale.

The record of each catalytic converter purchase transaction required under paragraph A must be on a form prescribed by the Commissioner of Public Safety and contain the following information:

1. The name and address of the seller.
2. Proof of identification with a driver's license, military identification card, passport, or other form of government-issued photographic identification.
3. A photocopy of the form of photographic identification presented and record the distinct identifying number of that photographic identification.

Catalytic Converter Marking Requirements



Deposits

It is the responsibility of the dealer to clearly state in writing their policy regarding the return of deposits received from customers. The dealer must ensure that any individual making a deposit signs a form that includes this disclosure.

When *not* to sell vehicles

A licensed car dealer may not be open for business on the following days:

- All Sundays
- Easter
- Christmas
- Thanksgiving

Exemption: Camping Trailers and new Motorhomes. Title 17 Section 3203 & 3203A.

Notice of Sale MVD-15

STATE OF MAINE	
<input type="checkbox"/> NEW <input checked="" type="checkbox"/> USED	MOTOR VEHICLE DIVISION - NOTICE OF SALE
TEMPORARY PLATE NO. <u>1234 - 567</u>	EXPIRES <u>01/06/13</u>
TEMPORARY REGISTRATION VALID ONLY WHEN TEMPORARY PLATE ISSUED	
MAKE FORD	YEAR & MODEL 12 TAURUS
VIN # 2FMZU7EF3CFB79954	COLOR BLACK
MILEAGE AT TIME OF SALE 56,789	
Name of Purchaser Daniel & Susan Roberts	
Date of Sale 12/24/2013	
Address 95 Chestnut Street Augusta, ME 04330	
Delivery Date 12/24/2013	
Name of person or dealer from whom you obtained this vehicle George MacAfee	
Mileage when purchased 56,789	
Address 34 Spruce Street Augusta, Maine	
I hereby certify that the above information is true and correct to the best of my knowledge.	
Odometer Repaired at 56,477 miles	
Reason why no mileage change Exceptional Auto	
Dealer Plate Number U 9002	
Seller (Trade Name of Dealer) Alan Churchill	
Title Office Manager	
Mail WHITE COPY Immediately to Bureau of Motor Vehicles, Dealer Section, Station 29, Augusta, Maine 04333 YELLOW COPY to customer at time of sale. PINK COPY for Dealer Records. PLEASE TYPE OR PRINT IN INK	

New American Printing (207) 773-7607

FORM MVD-15 (Rev 10/01)

26,979



Note: Use Legal Business Name, not DBA's

Notice of Sale MVD-15

NEW		USED		STATE OF MAINE	
<input type="checkbox"/>		<input checked="" type="checkbox"/>		MOTOR VEHICLE DIVISION - NOTICE OF SALE	
TEMPORARY PLATE NO.		1234 - 567		EXPIRES 01/06/13	
TEMPORARY REGISTRATION VALID ONLY WHEN TEMPORARY PLATE ISSUED					
MAKE	YEAR	MODEL	DR	MILEAGE AT TIME OF SALE	
FORD	12	TAURUS	4	DR	56,789
VIN #	COLOR			MILEAGE WHEN PURCHASED	
2FMZU7EF3CFB79954	BLACK			56,789	
Name of Purchaser				Date of Sale	
Daniel & Susan Roberts				12/24/2013	
Address				Delivery Date	
95 Chestnut Street Augusta, ME 04330				12/24/2013	
Name of person or dealer from whom you obtained this vehicle				Mileage when purchased	
George MacAfee				56,789	
Address				Odometer Repaired at 56,477 miles	
34 Spruce Street Augusta, Maine					
Reason why no mileage change					
Exceptional Auto				U 9002	
By Alan Churchill				Title Office Manager	
Saler (Trade Name of Dealer)				Dealer Plate Number	
Mail WHITE COPY immediately to Bureau of Motor Vehicles, Dealer Section, Station 29, Augusta, Maine 04333					
YELLOW COPY to customer at time of sale. PINK COPY for Dealer Records.					
PLEASE TYPE OR PRINT IN INK					

- Must be completed when issuing a temporary registration to a customer
- MVD-15 must be legible.
- The white and/or pink copy (s) must be kept for five (5) years.
- The yellow copy is given to the buyer.
- Please do not cross out, white out, write over, strike over, erase etc.
- If an error occurs, please redo the form.

What is Inform ME?

InforME (Information Resources of Maine) is the internet gateway for businesses and citizens to interact with Maine government electronically.

Inform ME maintains the State of Maine Website

Inform ME has the ability to check the following records for a fee:

- Ownership Records
- Liens Records
- Branded Title Records
- Most Current Title.

Please refer to the following for additional guidance:

- M.R.S.A. Title 10 Chapter 217
- M.R.S.A. Title 29A Chapter 7 and Chapter 9
- Secretary of State Rules and Regulations Chapter 103, Chapter 104, and 173.