

The Commonwealth of Massachusetts
TOWN OF MILLBURY
Board of Selectmen/Town Manager
127 Elm Street
Millbury, MA 01527-2632

**APPLICATION TO BUY, SELL, EXCHANGE OR ASSEMBLE SECOND
HAND MOTOR VEHICLES OR PARTS THEREOF**

I, the undersigned hereby apply for a CLASS _____ license in accordance with the provisions of Chapter 140, §57, 58 and 59 of MA General Laws.

- 1) Name: _____
- 2) Address: _____
Phone #: _____
- 3) Is the above an individual, co-partnership, an association or a corporation?

- 4) If an individual, state full name, residential address and social security number: _____
- 5) If a co-partnership, state full names, residential addresses and social security numbers of the persons composing it: _____

- 6) If an association or corporation, state full names, residential addresses and social security numbers of the principal officers:
President: _____
Secretary: _____
Treasurer: _____
- 7) 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? _____

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

- 9) Are you a recognized agent of a motor vehicle manufacturer? _____
If so, state name of manufacturer? _____
- 10) Have you signed contract as required by Section 58, Class I? _____
- 11) Have you ever applied for a license to deal in second hand motor vehicles or parts thereof? _____
If so, what city/town? _____ Did you receive license? _____
- 12) 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? _____
If yes, please explain: _____

- 13) Have you ever appeared in court for a criminal complaint? _____
If yes, please explain _____

PROPOSED DAYS AND HOURS OF OPERATION: _____

I certify under penalties that I, to the best of my knowledge and belief, have filled all State Tax Returns and paid all State Taxes required under law.

I authorize the Town of Millbury to conduct a criminal record check on me.

Signature of Applicant: _____

Tel: _____ Email: _____

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

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 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.

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 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

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.

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.

APPROVED BY ZONING ENFORCEMENT OFFICER: _____

APPROVED BY CHIEF OF POLICE: _____

APPROVED BY BOARD OF SELECTMEN: _____

License No.....

Fee \$.....

Issued by Town Clerk:.....