



Town of Braintree
BOARD OF LICENSE COMMISSIONERS
One JFK Memorial Drive
Braintree, MA 02184
Telephone: (781) 794-8244 Fax: (781) 794-8259

Fee: \$75 filing fee; \$100 for license fee (if approved)

REQUIREMENTS FOR I, II, III LICENSE

1. **Application Form**
2. **CORI Form** (to be completed by the applicant) & **Copy of Government Issued Photo ID**
3. **Workers' Compensation Insurance Affidavit & Attach Certificate of Insurance**
4. **\$25,000 Bond (Class II License Holders Only)**
See attached information and sample of MA Used Car Dealer's Bond. NOTE: A dealer needs a separate bond for each location at which it uses a different name.
5. **Corporation**
 - Obtain Certificate of Good Standing from the Commonwealth of MA – Secretary of State's Office
 - Copy of the Articles of Organization
6. **Limited Liability Company (LLC)**
 - Obtain Certificate of Organization (Commonwealth of MA – Secretary of State's Office)
 - Obtain Certificate of Good Standing (Commonwealth of MA – Secretary of State's Office)
 - Copy of Operating Agreement
7. **Business Certificate** obtainable from the Town Clerk
8. **Letter of Introduction Addressed to the Board of License Commissioners**
(e.g. background on applicant, operate similar business in other cities/towns, etc.)
9. **Certified Parking Plan drawn by a Certified Surveyor (see attached) indicating the following:**
 - (a) employee vehicle parking (b) customer vehicle parking (c) repair vehicle storage location (if applicable)
 - (d) emergency access to the site (e) customer access to the site (f) vehicles for sale or lease parking
10. **Storage Permit (If Applicable)**
Required if the business consists of numerous operations such as a service station which repairs, sells and/or leases vehicles. A storage permit will be required for the storage of more than 4 vehicles. Gas stations and commercial garages are allowed storage for up to 4 vehicles either registered or unregistered as a use by right
11. **CONTACT** Melissa Santucci Rozzi, Principal Planner, Planning & Community Development Dept, (781) 794-8234) or e-mail her at msantucci@braintreema.gov to inquire if a Special Permit is required for this location (The Planning Department is located at Town Hall, One JFK Memorial Dr, Lower level)
12. **PUBLIC HEARING NOTICE & ABUTTER NOTIFICATION (applicant responsible for advertising costs)**
You must obtain a certified list of direct abutters to the property as well as abutters directly across the street from the Board of Assessor's Office located on the 1st Floor, Town Hall, One JFK Memorial Dr. Newspaper notice must be published at least 7 days prior to the hearing. Immediately after publication, mail the "Notice of Public Hearing" **certified mail** to all abutters. Prior to the hearing, submit the abutter's certified return receipts along with a "Signed Affidavit" stating the date notices were mailed

NOTE: ** APPLICATION MUST BE COMPLETE UPON SUBMISSION TO THE LICENSING OFFICE**

BEFORE A HEARING DATE IS SCHEDULED**

MA Car Dealer Classes

Section 58 of the Massachusetts General Laws gives detailed explanations of Massachusetts' different dealer licenses; we've given you a basic outline below.

Class 1 Dealer License

You need a Class 1 Massachusetts dealer license if you're selling new motor vehicles.

As a new motor vehicle dealer:

- Your primary business must be selling new motor vehicles.
 - Purchasing or selling used vehicles must be secondary.
- You must be recognized as an agent **AND** have a contract with the manufacturer(s) of the vehicles(s) you sell.
- Your car dealership must have repair facilities on site to repair vehicles under warranty.

Class 2 MA Dealer License

You need a Class 2 dealer license if your primary business is selling used motor vehicles.

As a Class 2 licensee, you must post a \$25,000 surety bond **OR** an equivalent proof of financial responsibility approved by your local business licensing authority.

Class 3 Massachusetts Dealer License

You need a Class 3 motor vehicle license—or, a “junk license”—if your primary business is:

- Buying used motor vehicles to remodel, take apart, or rebuild and sell.
- Buying or selling used parts or tires.
- Assembling used motor vehicle parts.

MA Dealer License Requirements

Application requirements will vary depending on where you are applying and what type of dealer license.

In general, you'll need to provide the following items when applying for your Massachusetts car dealer license:

- A zoning application form.
- The applicable Articles/Certificate of Organization OR registration if your business will be a:
 - Corporation.
 - Limited liability company.
 - Limited liability partnership.
- If you'll operate under a trade name, a copy of your business certificate from your local licensing board.
- Your employer tax identification number.
- A purchase and sale agreement.
- Your lease agreement (if applicable).
- A worker's compensation insurance affidavit.
- Photographs of your business':
 - Overall property.
 - Entrances.
 - Vehicles/trailers.
- If you're a:
 - Class 1 dealer, your franchise agreement(s).
 - Class 2 dealer, proof of your \$25,000 Surety Bond.
- Payment for your municipality's dealer licensing fees.

Again, these are the general requirements, and may not cover everything required by your local business licensing board. Make sure you contact your city or town's licensing agency for a complete idea of what you'll need to provide.

THE COMMONWEALTH OF MASSACHUSETTS
Town of Braintree

CLASS I

**APPLICATION FOR A LICENSE TO BUY, SELL, EXCHANGE OR
ASSEMBLE SECONDHAND MOTOR VEHICLES OR PARTS THEREOF**

Fee: \$75 filing fee; \$100 for license fee (if approved)

I, the undersigned, duly authorized by the concern herein mentioned, hereby apply for a _____ license, to Buy, Sell, Exchange, or Assemble secondhand 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.

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

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

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

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 secondhand motor vehicles _____

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

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

8. Are you a recognized agent of a motor vehicle manufacturer?
If so, state name of Manufacturer _____

9. Have you signed a contract as required by Section 58, Class 1 _____

10. Have you ever applied for a license to deal in secondhand motor vehicles or parts thereof?
_____ (yes or no)
If so, in what city-town? _____

Did you receive a license? _____ For what year? _____

11. Has any license issued to you in Massachusetts or in any other state to deal in motor vehicles or parts thereof even been suspended or revoked? _____

Sign your name in full _____
(Duly Authorized to represent the concern herein mentioned)

OWNER'S NAME _____ RESIDENCE _____
(PRINT)

FID # _____ PHONE NO. _____

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.

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)

APPLICANT WILL NOT FILL THE FOLLOWING BLANKS

Application after

investigation _____
(Approved or Disapproved)

License No. _____ Granted _____ Fee \$ _____

Signed _____ VEHICLE STORAGE _____

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

Section 57. No one 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 secondhand motor vehicles may be granted a used car dealer's license.

Class 3. Any person whose principal business is the buying of secondhand motor vehicles for the purpose of remodeling, taking apart or rebuilding the same, or the buying or selling of parts of secondhand motor vehicles or tires, or the assembling of secondhand 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 will 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 should 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 classification 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. Permit 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, 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 licensee within class 3 as defined in section fifty-eight, and all licenses and permits issued hereunder to a person 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 7 days' notice shall have been given to the owners of property abutting on the premises when 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 license is not complying with sections fifty-seven to sixty-nine, inclusive, or the rules and regulations made hereunder; 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 complying. An 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.

VEHICLE STORAGE #



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CLASS II STORAGE APPLICATION

(PLEASE PRINT THE FOLLOWING INFORMATION)

APPLICANT: _____
(list both the corporate name and the name under which you are doing business (D/B/A))

APPLICANT: _____
(list both the corporate name and the name under which you are doing business (D/B/A))

ADDRESS: _____ CITY TOWN: _____

PHONE #: _____ FAX # _____

LOCATION of PROPERTY: _____

PRINCIPLE BUSINESS CONDUCTED ON PREMISES: _____

ACCESSORY BUSINESS CONDUCTED ON PREMISES: _____

GROSS PROPERTY AREA: _____

HOURS OF OPERATION: _____

NUMBER OF MOTOR VEHICLES TO STORE: _____

ATTACH PLAN OF PROPERTY (diagram should show buildings, signs, fences, parking (if parking permit is required), limits of paving, etc.)

Approve, with restriction, if any:

Date: _____

Board of License Commissioners



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CLASS III REPAIR STORAGE APPLICATION

(PLEASE PRINT THE FOLLOWING INFORMATION)

APPLICANT: _____
(list both the corporate name and the name under which you are doing business (D/B/A))

ADDRESS: _____ CITY TOWN: _____

PHONE #: _____ FAX # _____

LOCATION of PROPERTY: _____

PRINCIPLE BUSINESS CONDUCTED ON PREMISES: _____

ACCESSORY BUSINESS CONDUCTED ON PREMISES: _____

GROSS PROPERTY AREA: _____

HOURS OF OPERATION: _____

NUMBER OF MOTOR VEHICLES TO STORE: _____

ATTACH PLAN OF PROPERTY (diagram should show buildings, signs, fences, parking (if parking permit is required), limits of paving, etc.)

Approve, with restriction, if any:

Date: _____

Board of License Commissioners