

**NORTH CAROLINA DIVISION OF MOTOR VEHICLES
DEALER UNIT
3129 MAIL SERVICE CENTER, RALEIGH, N.C. 27697
30 DAY TEMPORARY TAG ORDER FORM**

FEES: \$25.00 PER SET OF 25 TEMPORARY TAG AND BOOK SET-\$50.00 MINIMUM PER DEALERSHIP IF ORDERED BY MAIL.

I would like to order _____ set(s) of 25 Temp. tags for automobiles/trailers @ \$25.00 each = \$ _____

I would like to order _____ set(s) of 25 Temp. tags for motorcycles @ \$25.00 each = \$ _____

Dealer License Number _____ **Dealer Name** _____

Address _____

Markers can only be shipped via overnight DMV trackable packaging to the physical address on record with the Dealer Unit - unless picked up. ***We do not accept prepaid shipping labels.**

Phone Number (____) _____

Printed Name _____ Title _____ Date _____

Signature _____

Notary Section

Date _____ County _____ State _____

I certify that the following person personally appeared before me this day, acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: _____ (name of principal).

Notary Signature _____ (SEAL)

Notary Printed Name _____

My Commission Expires _____

Helpful tips:

- Temporary tags cannot be ordered by telephone. They must be ordered by mail, online through NC DMV PayIt, picked up in person at any License Plate Agency or the NC DMV Dealer Unit at the Raleigh Headquarters Office.
- A minimum order of \$50.00 (2 sets) is required for all mail orders. Single sets can be purchased in person.
- Forms of payment: By mail- company check, cashier's check or money order. In person-company check from the dealership, credit/debit card, money order or cashier's check. Credit/debit card payments are accepted only by the dealership owner in person.
- You must submit completed ledger pages from the back of each book to receive additional packs. Only send the white original ledger sheets. You must retain the book at your dealership for at least one full year from the last tag issue date.
- Completed ledger sheets can be mailed with or without an additional order to NC DMV Dealer Unit, 3129 MSC, Raleigh, NC 27697.

MINIMUM DEALER LICENSE REQUIREMENTS

NCDMV VEHICLE SERVICES - DEALER UNIT
3129 MAIL SERVICE CENTER, RALEIGH, NC 27697-3129

1. OVERVIEW. The North Carolina Division of Motor Vehicles Dealer Unit monitors and updates information surrounding approximately 7,900 licensed automobile dealers and 44,000 licensed sales representatives. This section issues dealer/sales representative licenses, plates and 30-day markers to mail order and walk-in customers.

This section is also responsible for opening new dealerships and placing dealers out of business when their licenses have expired, been surrendered or revoked/suspended. The Dealer Unit is responsible for providing customer service in person, by correspondence and by telephone. This unit which resides in the Raleigh, NC area is only location in North Carolina that provides Dealer licensing services.

2. MINIMUM DEALER LICENSE REQUIREMENTS. The below information lists all requirements that are needed to complete prior to receiving a North Carolina Dealers License.

- (a). Have an "established salesroom" (Retail) containing at least 96 square feet of floor space in a permanent, enclosed building, or separate and apart from any living quarters, residence, or other business and having a separate entrance.
- (b). Have an "established office" (Wholesaler) containing at least 96 square feet of floor space in a permanent, enclosed building or structure which is accessible to Division personnel and is a place where books, records and files are required to be kept.
- (c). Established salesroom and/or established office is required to be in compliance with all State, County and Municipal zoning ordinances or regulations.
- (d). A sign designating the trade name of the business in block letters not less than three inches in height on a contrasting background.
- (e). Must furnish a corporate surety bond or a cash bond in the amount of fifty thousand dollars (\$50,000) for one established salesroom and twenty-five thousand dollars (\$25,000) for each established salesroom.
- (f). The Division must have evidence of an assumed name being filed with the Register of Deeds in the county in North Carolina where the business is maintained when such business is operated under any designation, name or style other than the real name of the owner or owners thereof or under its corporate name as it would appear on the dealer license certificate.
- (g). If the business will be conducted as a corporation, articles of incorporation must have been filed with the North Carolina Secretary of State. The first page of the corporate charter must accompany application for license. A foreign corporation must procure a certificate of authority from the North Carolina Secretary of State before being licensed to operate in this State.
- (h). Have a comprehensive liability insurance company policy or Garage Coverage Form-Automobile Dealer Supplementary Schedule policy number or binder number from the insurance company to cover dealer plates.
- (i). Application for license must accurately describe the physical location of the business such as; street name, street number, city, state and zip code. If a post office box number or rural route number is used, the above information must be included. It is not permissible to have a mailing address different from the actual location of the business. Wholesale applicants must supply the Division with a telephone number at which such business may be contacted by agents of the Division concerning records and sales transactions.

(j). Applicants for a “used motor vehicle” dealer’s license must show proof that within the last twelve months they have completed a 12-hour licensing course approved by the Division if seeking an initial license, and a 6-hour course approved by the Division if seeking a renewal of license. These educational requirements do not apply to the following 1.) Used motor vehicle dealer (applicants) who under NCGS 1.43-143.11 who complies with the educational requirements of NCGS 143-143.11B; 2.) Persons aged 62 or older at time of application who are seeing the renewal of an Individual or Partnership license.

(k). Prior to license being issued, all of the above requirements must be in compliance and the established salesroom and/or office must be inspected and approved by the agent of the License and Theft Bureau. The record of inspection must accompany the application for license.

3. FEES AND INSPECTOR CONTACT INFORMATION

FEES: (Additional fees per plate issued will be due in counties that require Regional Transit Authority, *RTA, Tax)

Dealer/Wholesale/Distributor License Certificate	\$97.00	Please contact an Inspector in the County you plan to open your Dealership. Site must be approved before submitting applications to the Dealer Unit.
Factory Branch License Certificate:	\$140.25	
Manufacture License Certificate:	\$210.25	___ District I Greenville (252) 752-4435
Sales/Factory Representative:	\$21.50	___ District II Fayetteville (910) 486-1331
Dealer Plate (first five plates):	\$38.75 each plate	___ District III Raleigh (919) 816-9194
Each Additional:	\$19.50 each plate	___ District IV Greensboro (336) 256-2024
Dealer Transporter Plate:	\$19.50 each plate	___ District V Winston-Salem (336) 767-8808
Temporary Markers:	\$25.00 per set of 25	___ District VI Huntersville (704) 331-4500 ___ District VII Asheville (828) 782-9640

*RTA Fees-Randolph \$1, Wake/Orange/Durham \$15

The following forms are required to original, completed and signed before you can apply for a Dealer’s license:

- *Inspector’s report
- *VS-400 (Notarized)
- *VS-409 (Notarized)
- *VS-426 (Notarized)
- *12 Hour Continuing education certificate dated within the past 12 months
- *Zoning letter
- *Garage liability insurance certificate or declaration page
- *If Corporation/LLC, copies of your meeting minutes and Secretary of State filing.
- *If Franchise, copies of franchise agreement(s)
- *If out of State Manufacturer or Distributor, certificate of Authority
- *Out of State Manufacturer must also provide proof of registration with The National Highway Traffic Safety Administration (NHTSA)

§ 20-286. Definitions.

The following definitions apply in this Article:

- (1), (2) Repealed by Session Laws 1973, c. 1330, s. 39.
- (2a) Dealership facilities. – The real estate, buildings, fixtures and improvements devoted to the conduct of business under a franchise.
- (2b) Designated family member. – The spouse, child, grandchild, parent, brother, or sister of a dealer, who, in the case of a deceased dealer, is entitled to inherit the dealer's ownership interest in the dealership under the terms of the dealer's will; or who has otherwise been designated in writing by a deceased dealer to succeed him in the motor vehicle dealership; or who under the laws of intestate succession of this State is entitled to inherit the interest; or who, in the case of an incapacitated dealer, has been appointed by a court as the legal representative of the dealer's property. The term includes the appointed and qualified personal representative and testamentary trustee of a deceased dealer.
- (3) Distributor. – A person, resident or nonresident of this State, who sells or distributes new motor vehicles to new motor vehicle dealers in this State, maintains a distributor representative in this State, controls any person, resident or nonresident, who in whole or in part offers for sale, sells or distributes any new motor vehicle to any motor vehicle dealer in this State.
- (4) Distributor branch. – A branch office maintained by a distributor for the sale of new motor vehicles to new motor vehicle dealers, or for directing or supervising the distributor's representatives in this State.
- (5) Distributor representative. – A person employed by a distributor or a distributor branch for the purpose of selling or promoting the sale of new motor vehicles or otherwise conducting the business of the distributor or distributor branch.
- (5a) Established office. – An office that meets the following requirements:
 - a. Contains at least 96 square feet of floor space in a permanent enclosed building.
 - b. Is a place where the books, records, and files required by the Division under this Article are kept.
- (6) Established salesroom. – A salesroom that meets the following requirements:
 - a. Contains at least 96 square feet of floor space in a permanent enclosed building.
 - b. Displays, or is located immediately adjacent to, a sign having block letters not less than three inches in height on contrasting background, clearly and distinctly designating the trade name of the business.
 - c. Is a place at which a permanent business of bartering, trading, and selling motor vehicles will be carried on in good faith on an ongoing basis whereby the dealer can be contacted by the public at reasonable times.
 - d. Is a place where the books, records, and files required by the Division under this Article are kept.

The term includes the area contiguous to or located within 500 feet of the premises on which the salesroom is located. The term does not include a tent, a temporary stand, or other temporary quarters. The minimum area requirement does not apply to any place of business lawfully in existence and duly licensed on or before January 1, 1978.

- (7) Factory branch. – A branch office, maintained for the sale of new motor vehicles to new motor vehicle dealers, or for directing or supervising the factory branch's representatives in this State.
- (8) Factory representative. – A person employed by a manufacturer or a factory branch for the purpose of selling or promoting the sale of the manufacturer's motor vehicles or otherwise conducting the business of the manufacturer or factory branch.
- (8a) Franchise. – A written agreement or contract between any new motor vehicle manufacturer, and any new motor vehicle dealer which purports to fix the legal rights and liabilities of the parties to such agreement or contract, and pursuant to which the dealer purchases and resells the franchised product or leases or rents the dealership premises.
- (8b) Franchised motor vehicle dealer. – A dealer who holds a currently valid franchise as defined in G.S. 20-286(8a) with a manufacturer or distributor of new motor vehicles, trailers, or semitrailers.
- (8c) Good faith. – Honesty in fact and the observation of reasonable commercial standards of fair dealing as defined and interpreted in G.S. 25-1-201(b)(20).
- (8d) Independent motor vehicle dealer. – A dealer in used motor vehicles.
- (8e) Manufacturer. – A person, resident or nonresident, who manufactures or assembles new motor vehicles, or who imports new motor vehicles for distribution through a distributor, including any person who acts for and is under the control of the manufacturer or assembler in connection with the distribution of the motor vehicles. Additionally, the term "manufacturer" shall include the terms "distributor" and "factory branch."
- (9) Repealed by Session Laws 1973, c. 1330, s. 39.
- (10) Motor vehicle. – Any motor propelled vehicle, trailer or semitrailer, required to be registered under the laws of this State. This term does not include mopeds, as that term is defined in G.S. 20-4.01.
 - a. "New motor vehicle" means a motor vehicle that has never been the subject of a completed, successful, or conditional sale that was subsequently approved other than between new motor vehicle dealers, or between a manufacturer and a new motor vehicle dealer of the same franchise. For purposes of this subdivision, the use of a new motor vehicle by a new motor vehicle dealer for demonstration or service loaner purposes does not render the new motor vehicle a used motor vehicle, notwithstanding (i) the commencement of the manufacturer's original warranty as a result of the franchised dealer's use of the vehicle for demonstration or loaner purposes, or (ii) the dealer's receipt of incentive or warranty compensation or other reimbursement or consideration from a manufacturer, factory branch, distributor, distributor branch or from a third-party warranty, maintenance, or service contract company relating to the use of a vehicle as a demonstrator or service loaner.
 - b. "Used motor vehicle" means a motor vehicle other than a motor vehicle described in sub-subdivision a. of this subdivision.
 - c. The term "motor vehicle" does not include an electrically powered device that is equipped with automated driving technology that enables device operation with or without remote support and supervision of a human, and to which all of the following apply: (i) the device does not exceed a weight of 750 pounds, excluding cargo, (ii)

the device does not exceed a length of 40 inches when not linked with other devices, and (iii) the device does not exceed a width of 36 inches. An electrically powered device that is equipped with automated driving technology that enables device operation with or without remote support and supervision of a human and that exceeds any of the dimensions set out in this sub-subdivision is included in the term "motor vehicle" under this Article, and the device is subject to the provisions of Article 18 of this Chapter if it falls within the definition of "fully autonomous vehicle" under G.S. 20-400(3).

(11) Motor vehicle dealer or dealer. –

- a. A person who does any of the following:
 1. For commission, money, or other thing of value, buys, sells, or exchanges, whether outright or on conditional sale, bailment lease, chattel mortgage, or otherwise, five or more motor vehicles within any 12 consecutive months, regardless of who owns the motor vehicles.
 2. On behalf of another and for commission, money, or other thing of value, arranges, offers, attempts to solicit, or attempts to negotiate the sale, purchase, or exchange of an interest in five or more motor vehicles within any 12 consecutive months, regardless of who owns the motor vehicles.
 3. Engages, wholly or in part, in the business of selling new motor vehicles or new or used motor vehicles, or used motor vehicles only, whether or not the motor vehicles are owned by that person, and sells five or more motor vehicles within any 12 consecutive months.
 4. Offers to sell, displays, or permits the display for sale for any form of compensation five or more motor vehicles within any 12 consecutive months.
 5. Primarily engages in the leasing or renting of motor vehicles to others and sells or offers to sell those vehicles at retail.
- b. The term "motor vehicle dealer" or "dealer" does not include any of the following:
 1. Receivers, trustees, administrators, executors, guardians, or other persons appointed by or acting under the judgment or order of any court.
 2. Public officers while performing their official duties.
 3. Persons disposing of motor vehicles acquired for their own use or the use of a family member, and actually so used, when the vehicles have been acquired and used in good faith and not for the purpose of avoiding the provisions of this Article.
 4. Persons who sell motor vehicles as an incident to their principal business but who are not engaged primarily in the selling of motor vehicles. This category includes financial institutions who sell repossessed motor vehicles and insurance companies who sell motor vehicles to which they have taken title as an incident of payments made under policies of insurance, and auctioneers who sell motor vehicles for the owners or the heirs of the owners of those vehicles as part of an auction of other personal or real property or for the purpose

- of settling an estate or closing a business or who sell motor vehicles on behalf of a governmental entity, and who do not maintain a used car lot or building with one or more employed motor vehicle sales representatives.
5. Persons manufacturing, distributing or selling trailers and semitrailers weighing not more than 2,500 pounds unloaded weight.
 6. A licensed real estate broker or salesman who sells a mobile home for the owner as an incident to the sale of land upon which the mobile home is located.
 7. An employee of an organization arranging for the purchase or lease by the organization of vehicles for use in the organization's business.
 8. Any publication, broadcast, or other communications media when engaged in the business of advertising, but not otherwise arranging for the sale of motor vehicles owned by others.
 9. Any person dealing solely in the sale or lease of vehicles designed exclusively for off-road use.
 10. Any real property owner who leases any interest in property for use by a dealer.
 11. Any person acquiring any interest in a motor vehicle for a family member.
 12. Any auctioneer licensed pursuant to Chapter 85B of the General Statutes employed to be an auctioneer of motor vehicles for a licensed motor vehicle dealer, while conducting an auction for that dealer.
 13. Any charitable organization operating under section 501(c)(3) of the Internal Revenue Code (26 U.S.C. § 501(c)(3)) where the vehicle was donated to the charitable organization solely for purposes of resale by the charitable organization.
- (12) Motor vehicle sales representative or salesman. – A person who is employed as a sales representative by, or has an agreement with, a motor vehicle dealer or a wholesaler to sell or exchange motor vehicles.
- (13) New motor vehicle dealer. – A motor vehicle dealer who buys, sells or exchanges, or offers or attempts to negotiate a sale or exchange of an interest in, or who is engaged, wholly or in part, in the business of selling, new or new and used motor vehicles.
- (13a) Person. – Defined in G.S. 20-4.01.
- (13b) Relevant market area or trade area. – The area within a radius of 20 miles around an existing dealer or the area of responsibility defined in the franchise, whichever is greater; except that, where a manufacturer is seeking to establish an additional new motor vehicle dealer the relevant market area shall be as follows:
- a. If the population in an area within a radius of 10 miles around the proposed site is 250,000 or more, the relevant market area shall be that area within the 10 mile radius; or
 - b. If the population in an area within a radius of 10 miles around the proposed site is less than 250,000, but the population in an area within a radius of 15 miles around the proposed site is 150,000 or more, the relevant market area shall be that area within the 15 mile radius; or

c. Except as defined in subparts a. and b., the relevant market area shall be the area within a radius of 20 miles around an existing dealer.

In determining population for this definition the most recent census by the U.S. Bureau of the Census or the most recent population update either from Claritas Inc. or other similar recognized source shall be accumulated for all census tracts either wholly or partially within the relevant market area. In accumulating population for this definition, block group and block level data shall be used to apportion the population of census tracts which are only partially within the relevant market area so that population outside of the applicable radius is not included in the count.

- (14) Repealed by Session Laws 1973, c. 1330, s. 39.
- (15) Retail installment sale. – A sale of one or more motor vehicles to a buyer for the buyer's use and not for resale, in which the price thereof is payable in one or more installments over a period of time and in which the seller has either retained title to the goods or has taken or retained a security interest in the goods under a form of contract designated as a conditional sale, bailment lease, chattel mortgage or otherwise.
- (15a) Special tool or essential tool. – A tool designed and required by the manufacturer or distributor and not readily available from another source that is utilized for the purpose of performing service repairs on a motor vehicle sold by a manufacturer or distributor to its franchised new motor vehicle dealers in this State.
- (16) Used motor vehicle dealer. – A motor vehicle dealer who buys, sells or exchanges, or offers or attempts to negotiate a sale or exchange of an interest in, or who is engaged, wholly or in part, in the business of selling, used motor vehicles only.
- (17) Wholesaler. – A person who sells or distributes used motor vehicles to motor vehicle dealers in this State, has a sales representative in this State, or controls any person who in whole or in part offers for sale, sells, or distributes any used motor vehicle to a motor vehicle dealer in this State. The provisions of G.S. 20-302, 20-305.1, and 20-305.2 that apply to distributors also apply to wholesalers. (1955, c. 1243, s. 2; 1967, c. 1126, s. 1; c. 1173; 1973, c. 1330, s. 39; 1977, c. 560, s. 1; 1983, c. 312; c. 704, ss. 2, 3, 21; 1987, c. 381; 1991, c. 527, s. 1; c. 662, s. 1; 1991 (Reg. Sess., 1992), c. 819, s. 23; 1993, c. 331, s. 1; 1995, c. 234, s. 1; 1997-456, s. 27; 2003-254, s. 1; 2003-265, s. 1; 2005-409, s. 7; 2007-484, s. 6; 2015-125, s. 8; 2015-209, s. 1; 2015-232, s. 1.2; 2015-264, s. 42(a); 2018-43, s. 3; 2019-125, s. 1; 2020-73, s. 6.)

Part 5. Issuance of Special Plates.

§ 20-79. Dealer license plates.

(a) How to Get a Dealer Plate. – The Division may issue a person licensed under Article 12 of this Chapter the appropriate classification of dealer license plate. A person eligible for a dealer license plate may obtain one by filing an application with the Division and paying the required fee. An application must be filed on a form provided by the Division. The required fee is the amount set by G.S. 20-87(7).

(b) Number of Plates. – A dealer who was licensed under Article 12 of this Chapter for the previous 12-month period ending December 31 may obtain the number of dealer license plates allowed by the following table; the number allowed is based on the number of motor vehicles the dealer sold during the relevant 12-month period and the average number of qualifying sales representatives the dealer employed during that same 12-month period:

<u>Vehicles Sold In Relevant 12-Month Period</u>	<u>Maximum Number of Plates</u>
Fewer than 12	3
At least 12 but less than 25	6
At least 25 but less than 37	7
At least 37 but less than 49	8
49 or more	At least 8, but no more than 5 times the average number of qualifying sales representatives employed by the dealer during the relevant 12-month period

A dealer who was not licensed under Article 12 of this Chapter for part or all of the previous 12-month period ending December 31 may obtain the number of dealer license plates that equals four times the number of qualifying sales representatives employed by the dealer on the date the dealer files the application. A "qualifying sales representative" is a sales representative who works for the dealer at least 25 hours a week on a regular basis and is compensated by the dealer for this work.

A dealer who sold fewer than 49 motor vehicles the previous 12-month period ending December 31 but has sold at least that number since January 1 may apply for additional dealer license plates at any time. The maximum number of dealer license plates the dealer may obtain is the number the dealer could have obtained if the dealer had sold at least 49 motor vehicles in the previous 12-month period ending December 31.

A dealer who applies for a dealer license plate must certify to the Division the number of motor vehicles the dealer sold in the relevant period. Making a material misstatement in an application for a dealer license plate is grounds for the denial, suspension, or revocation of a dealer's license under G.S. 20-294.

A dealer engaged in the alteration and sale of specialty vehicles may apply for up to two dealer plates in addition to the number of dealer plates that the dealer would otherwise be entitled to under this section.

This subsection does not apply to manufacturers licensed under Article 12 of this Chapter.

(c) Form and Duration. – A dealer license plate is subject to G.S. 20-63, except for the requirement that the plate display the registration number of a motor vehicle and the requirement that the plate be a "First in Flight" plate, a "First in Freedom" plate, or a "National/State Mottos" plate. A dealer license plate must have a distinguishing symbol identifying the plate as a dealer license plate. The symbol may vary depending upon the classification of dealer license plate issued. The Division must provide suitably reduced sized license plates for motorcycle dealers and manufacturers.

A dealer license plate is issued for a period of one year. The Division shall vary the expiration dates of dealer registration renewals so that an approximately equal number expires at the end of each month, quarter, or other period consisting of one or more months. A dealer license plate may be transferred from one vehicle to another. When the Division issues a dealer plate, it may issue a registration that expires at the end of any monthly interval. When one of the following occurs, a dealer must surrender to the Division all dealer license plates issued to the dealer:

- (1) The dealer surrenders the license issued to the dealer under Article 12 of this Chapter.
- (2) The Division suspends or revokes the license issued to the dealer under Article 12 of this Chapter.
- (3) The Division rescinds the dealer license plates because of a violation of the restrictions on the use of a dealer license plate.

To obtain a dealer license plate after it has been surrendered, the dealer must file a new application for a dealer license plate and pay the required fee for the plate.

(d) **(Effective until December 31, 2024) Restrictions on Use.** – A dealer license plate may be displayed only on a motor vehicle that meets all of the following requirements:

- (1) Is part of the inventory of the dealer.
- (2) Is not consigned to the dealer.
- (3) Is covered by liability insurance that meets the requirements of Article 9A of this Chapter.
- (4) Is not used by the dealer in another business in which the dealer is engaged.
- (5) Is driven on a highway by a person who meets one of the following descriptions:
 - a. Has a demonstration permit to test-drive the motor vehicle and carries the demonstration permit while driving the motor vehicle.
 - b. Is an officer or sales representative of the dealer and is driving the vehicle for a business purpose of the dealer.
 - c. Is an employee of the dealer and is driving the vehicle in the course of employment.
 - d. Is an employee of the dealer or of a contractor of the dealer and is driving the vehicle within a 20-mile radius of a place where the vehicle is being repaired or otherwise prepared for sale.
 - e. Is an employee of the dealer or of a contractor of the dealer and is transporting the vehicle to or from a vehicle auction or to the dealer's established salesroom.
 - f. Is an officer, sales representative, or other employee of an independent or franchised motor vehicle dealer or is an immediate family member of an officer, sales representative, or other employee of an independent or franchised motor vehicle dealer.
- (6) A copy of the registration card for the dealer plate issued to the dealer is carried by the person operating the motor vehicle or, if the person is operating the motor vehicle in this State, the registration card is maintained on file at the dealer's address listed on the registration card, and the registration card must be able to be produced within 24 hours upon request of any law enforcement officer.

A dealer may issue a demonstration permit for a motor vehicle to a person licensed to drive that type of motor vehicle. A demonstration permit authorizes each person named in the permit to drive the motor vehicle described in the permit for up to 96 hours after the time the permit is issued. A dealer may, for good cause, renew a demonstration permit for one additional 96-hour period. A franchised motor vehicle dealer is not prohibited from using a demonstration permit

pursuant to this subsection by reason of the dealer's receipt of incentive or warranty compensation or other reimbursement or consideration from a manufacturer, factory branch, distributor, distributor branch or from a third-party warranty, maintenance, or service contract company relating to the use of the vehicle as a demonstrator or service loaner.

A dealer may not lend, rent, lease, or otherwise place a dealer license plate at the disposal of a person except as authorized by this subsection.

(d) **(Effective December 31, 2024)** Restrictions on Use. – A dealer license plate may be displayed only on a motor vehicle that meets all of the following requirements:

- (1) Is part of the inventory of the dealer.
- (2) Is not consigned to the dealer.
- (3) Is covered by liability insurance that meets the requirements of Article 9A of this Chapter.
- (4) Is not used by the dealer in another business in which the dealer is engaged.
- (5) Is driven on a highway by a person who meets one of the following descriptions:
 - a. Has a demonstration permit to test-drive the motor vehicle and carries the demonstration permit while driving the motor vehicle.
 - b. Is an officer or sales representative of the dealer and is driving the vehicle for a business purpose of the dealer.
 - c. Is an employee of the dealer and is driving the vehicle in the course of employment.
 - d. Is an employee of the dealer or of a contractor of the dealer and is driving the vehicle within a 20-mile radius of a place where the vehicle is being repaired or otherwise prepared for sale.
 - e. Is an employee of the dealer or of a contractor of the dealer and is transporting the vehicle to or from a vehicle auction or to the dealer's established salesroom.
 - f. Is an officer, sales representative, or other employee of an independent or franchised motor vehicle dealer or is an immediate family member of an officer, sales representative, or other employee of an independent or franchised motor vehicle dealer.
- (6) A copy of the registration card for the dealer plate issued to the dealer is carried by the person operating the motor vehicle or, if the person is operating the motor vehicle in this State, the registration card is maintained on file at the dealer's address listed on the registration card, and the registration card must be able to be produced within 24 hours upon request of any law enforcement officer.

A dealer may issue a demonstration permit for a motor vehicle to a person licensed to drive that type of motor vehicle. A demonstration permit authorizes each person named in the permit to drive the motor vehicle described in the permit for up to 96 hours after the time the permit is issued. A dealer may, for good cause, renew a demonstration permit for one additional 96-hour period.

A dealer may not lend, rent, lease, or otherwise place a dealer license plate at the disposal of a person except as authorized by this subsection.

(e) Sanctions. – The following sanctions apply when a motor vehicle displaying a dealer license plate is driven in violation of the restrictions on the use of the plate:

- (1) The individual driving the motor vehicle is responsible for an infraction and is subject to a penalty of one hundred dollars (\$100.00).
- (2) The dealer to whom the plate is issued is subject to a civil penalty imposed by the Division of two hundred fifty dollars (\$250.00).

- (3) The Division may rescind all dealer license plates issued to the dealer whose plate was displayed on the motor vehicle.

A penalty imposed under subdivision (1) of this subsection is payable to the county where the infraction occurred, as required by G.S. 14-3.1. A civil penalty imposed under subdivision (2) of this subsection shall be credited to the Highway Fund as nontax revenue.

(f) Transfer of Dealer Registration. – No change in the name of a firm, partnership or corporation, nor the taking in of a new partner, nor the withdrawal of one or more of the firm, shall be considered a new business; but if any one or more of the partners remain in the firm, or if there is change in ownership of less than a majority of the stock, if a corporation, the business shall be regarded as continuing and the dealers' plates originally issued may continue to be used.

(g) Penalties. – The clear proceeds of all civil penalties, civil forfeitures, and civil fines that are collected by the Department of Transportation pursuant to this section shall be remitted to the Civil Penalty and Forfeiture Fund in accordance with G.S. 115C-457.2.

(h) Definition. – For purposes of this section, the term "dealer" means a person who is licensed under Article 12 of this Chapter. (1937, c. 407, s. 43; 1947, c. 220, s. 2; 1949, c. 583, s. 3; 1951, c. 985, s. 2; 1959, c. 1264, s. 3.5; 1961, c. 360, s. 15; 1975, c. 716, s. 5; 1979, c. 239; c. 612, s. 1; 1985, c. 764, s. 21; 1985 (Reg. Sess., 1986), c. 852, s. 17; 1989, c. 770, s. 74.1(a); 1993, c. 321, s. 169.4; c. 440, s. 2; c. 539, s. 343; 1993 (Reg. Sess., 1994), c. 697, ss. 1, 2; c. 761, s. 6; 1994, Ex. Sess., c. 24, s. 14(c); 1997-335, s. 1; 2001-212, s. 1; 2004-167, s. 4; 2004-199, s. 59; 2005-276, s. 6.37(q); 2007-291, s. 1; 2007-481, s. 1; 2010-132, s. 5; 2011-318, s. 2; 2014-100, s. 34.28(b); 2015-232, s. 1.4(a); 2015-264, s. 42(b); 2016-90, s. 13.5; 2018-5, s. 34.27(b); 2018-27, s. 4.5(c); 2018-42, s. 3(c); 2020-51, s. 1(c).)

APPLICATION FOR NEW DEALER LICENSE OR CHANGES TO EXISTING LICENSE

NCDMV VEHICLE SERVICES - DEALER UNIT
3129 MAIL SERVICE CENTER, RALEIGH, NC 27697-3129

New License number _____ **Current/Original License Number** _____ **Additional Location** (__ Yes __ No)
_____ **Name Change** _____ **Corporate Officer Change/Addition** _____ **For Record Only Change**

The undersigned hereby applies for a license to engage in the business of buying, selling, engaging or dealing in motor vehicles or offering or displaying motor vehicles for sale as provided by Article 12, Chapter 20 of the North Carolina General Statutes and gives the following information.

1. Check which type of license being applied for: ___ Dealer License (\$97.00) ___ Wholesale Dealer License (\$97.00)
___ Factory Branch License (\$140.25) ___ Distributor License (\$97.00) ___ Manufacture Dealer License (\$210.25)
___ Pre-screening Fee (\$45.00)

Ownership Type: ___ Individual ___ Partnership ___ Limited Partnership ___ Corporation ___ LLC

2a. Complete Firm Name: _____

2b. DBA name(s). If operating with a different name. You must provide an assumed name filing.

3. Physical address: _____

City _____ State _____ Zip Code _____ County _____

Business Contact #: _____

Please note: A Post Office Box must be in the same city as the Dealership)

Mailing Address _____ City _____ State _____ Zip Code _____

Have you previously been issued a license as a manufacturer, factory branch, factory representative, distributor, distributor branch, or distributor representative? No ___ Yes ___ If yes, please explain below.

If you hold a franchise or manufacturing, assemble or distribute motor vehicles, please provide the requested information below. It is your responsibility to verify that the manufacturer you hold an agreement with is eligible to do business in North Carolina. You must attach a copy of your franchise agreement.

MANUFACTURE/DISTRIBUTOR/WHOLESALE	ADDRESS	NC LICENSE NO.
_____	_____	_____
_____	_____	_____

4. Corporations/LLC : Name (if other than firm name) _____

Date Incorporated/Filed _____ State _____

If not incorporated under Laws of North Carolina, are you in compliance with NCGS 55-15.01? ___ Yes ___ No

A North Carolina Certificate of Authority must be filed for an out of State Corporation. Date Filed: _____

5. Print/type age, name, address and title of owner, partners, members (LLC) or officers (Corporation) below:

AGE	NAME	ADDRESS	TITLE
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

6. If partnership, date of partnership _____

7. If a corporation, (list your title) _____ are you authorized to bind the corporation by your signature? YES or NO *Initial: _____

8. List additional locations within North Carolina owned by you at which motor vehicles are sold

9. Qualifying Sales Representative: A person who works at least 25 hours per week on a regular basis and is compensated by the dealer for his work.

How many qualifying sales representatives do you have employed _____

10. If a business is to be operated under any designation, name or style, other than the real name of the owner, or owners or under its corporate name, an "assumed" name must be filed with the Register of Deeds in the County in which the business is to be operated and proof of that filing must accompany this application. Is it attached? _____

11. Applicant's home address during the past 5 years: _____

12. State your previous businesses or occupations and addressed during the last 5 years. List forms or organizations and positions held, with dates: _____

13. **Retail**-An "established salesroom" as defined by Statute means an office containing at least 96 square feet in a permanent enclosed building, with a sign in block letters not less than three (3) inches high designating the trade name of the business and at which a permanent business of trading, bartering and selling motor vehicles will be carried on in good faith. Does your office meet the requirements of an "established salesroom?" _____

Wholesaler- An "established office" as defined by Statute means an office containing at least 96 square feet in a permanent enclosed building and is a place where the books, records and files required by the Division under this Article are kept. Does your office meet the requirements of an "established office?" _____

Will applicant in good faith carry on said business and keep and maintain the books, records and files which will be available at all reasonable hours to inspection by the Commissioner of the Motor Vehicles or any of his Inspectors or duly appointed agents? _____ Please print full name of responsible individual: _____.

14. If application is for a "used motor vehicle dealer license", has the applicant within the last twelve (12) months completed a 12-hour licensing course approved by the Division as required by NCGS 20-288(A1)? _____ **If yes, attach the certificate.**

15. Will applicant keep a book of record of the purchase, sale or exchange, or receipt for the purpose of sale, of any motor vehicle, a description of such motor vehicle, together with the name and address of the seller, the purchaser and the alleged owner or other person from whom such motor vehicle was purchased or received or to whom it was sold or delivered, as the case may be? _____. Such description shall include the identification number, and such other numbers or identification marks as may be thereon and shall also include a statement that a number has been obliterated, defaced or changed, if such is the fact and shall be maintained for five (5) years.

16. Before a dealer's license can be issued, the location and type of business must be in compliance with all zoning ordinances or regulations. Have you determined from the proper authorities that your dealership and its location is in compliance with zoning ordinances or regulations? _____

17. AS THE APPLICANT, I HERBEY CERTIFY THAT:

- (1) I have been convicted of an offense set forth under N.C.G.S. 20-106, 20-106.1, 20-107 or 20-112 within 5 years next preceding the date of filing the application. **Yes** or **No** (*circle one*) *Initial: _____
- (2) I have been convicted of a crime: (a) possibly related to the duties and responsibilities for holding a sales representative license; or (b) violent or sexual in nature. **Yes** or **No** (*circle one*) *Initial: _____
- (3) I have previously been denied or had a license issued under the Dealer Licensing Act that was suspended or revoked. **Yes** or **No** (*circle one*) *Initial: _____
- (4) I am familiar with and will comply with all the laws and regulations governing the conduct of motor vehicle salesmen or representatives and will cooperate with the Division in administering the North Carolina Motor Vehicle Dealers and Manufacturers Act. The information and certifications contained in this application are true and correct to the best of my knowledge and belief. **Yes** or **No** (*circle one*) *Initial: _____

In reviewing an application, the Division may only deny an application based on a conviction under the requirements of N.C.G.S. § 20-294 and N.C.G.S. § 93B-8. Upon review of the application where the applicant has a criminal conviction, the Division shall consider:

- (a) The level and seriousness of the crime.
- (b) The date of the crime.
- (c) The age of the person at the time of the crime.
- (d) The circumstances surrounding the commission of the crime, if known.
- (e) The nexus between the criminal conduct and the prospective duties of the applicant as a licensee.
- (f) The prison, jail, probation, parole, rehabilitation, and employment records of the applicant since the date the crime was committed.
- (g) The completion of, or active participation in, rehabilitative drug or alcohol treatment.
- (h) A Certificate of Relief granted pursuant to C.S. 15A-173.2.
- (i) The subsequent commission of a crime by the applicant.
- (j) Any affidavits or other written documents, including character references.

If you answered "YES" to questions (1), (2) or (3) above indicating that you have such a conviction, you may attach any information relevant for the Division to consider in reviewing your application. Such information can include, but not be limited to, the considerations listed above in (a) through (j) that the Division shall consider.

Any material misstatement on this application and/or other grounds besides convictions listed under N.C.G.S. § 20-294 may authorize the denial of the application.

If the Division denies an application based on a conviction and/or other grounds listed under N.C.G.S. § 20-294, the applicant may appeal the denial under the procedures set forth under N.C.G.S. § 20-300, N.C.G.S. § 150B-45, and the remaining provisions of Article IV of Chapter 150B.

18. Have you or any member/officer of this partnership, corporation or LLC, completed or is currently enrolled in a rehabilitated drug or alcohol treatment program? Yes _____ No _____. If yes, please provide proof.

19. Have you or any member/officer of this partnership, corporation or LLC, ever been refused, or had a dealer's license certificate revoked or suspended? _____ If yes, attach a statement giving facts and/or Official Hearing Decision order granting you a license.

20. List below the designee or individual who is responsible for the day-to-day operation of the dealership. The individual designated must be of good character and have a reputation for honesty. The named individual is responsible for the acts of all sales representatives employed by you while acting as your agent.

Full Printed Name: _____ Title: _____
Driver's License number: _____ State: _____
Street Address: _____
City _____ State: _____ Zip: _____

21. North Carolina Law (NCGS 20-290) requires a motor vehicle dealer to specify the location of each place of business occupied or to be occupied. After having been issued a license and you plan to relocate or terminate your business, will you notify your local Motor Vehicle Inspector of the Division prior to relocating or terminating such business?

22. Will applicant have in his possession a duly assigned certificate of title from the owner of each motor vehicle in accordance with the provisions of Chapter 20 of North Carolina General Statutes from the time when the motor vehicle is delivered to him until it has been disposed of by him? _____

23. Will applicant see to it that all motor vehicles in his possession are operated with proper license plates attached?

24. Will applicant comply with the laws and regulations governing the use of dealer license plates and dealer transporter plates? _____

25. Is applicant familiar with provisions of applicable laws and DMV regulations? _____

26. Prior to the issuance or renewal of a motor vehicle dealer, manufacturer, distributor, distributor branch, factory branch or wholesaler, the applicant must have on file with the Commissioner of Motor Vehicles a surety or cash bond in the amount of \$50,000 or the equivalent thereof. Is the original signed bond attached? _____

27. If application is for an additional location, applicant must have on file with the Commissioner of Motor Vehicles a surety or cash bond in the amount of \$25,000 for the fixed equivalent thereof. Is the original signed bond attached?

CERTIFICATION

I certify as proprietor, partner, or corporate officer of this firm, I have authority to sign and submit this application and the statements contained therein are true and correct. I further certify on behalf of said firm, including myself, that every owner, partner or corporate officer is familiar with the North Carolina Motor Vehicle Dealers and Manufacturers Licensing Law and with other North Carolina laws governing the conduct and operation of the business for which license is sought; and will comply with the provisions of these laws and with all lawful regulations of the North Carolina Division of Motor Vehicles; and further, will cooperate with the Division of Motor Vehicles in eliminating fraudulent sales, the employment of fraudulent sales, the employments of fraudulent devices, methods or practices, unfair competition, deceptive or misleading advertising and particularly the advertisement for sale of used motor vehicle as new motor vehicles.

Complete Firm Name _____ Date _____
Signature _____ Title _____
Print Name _____

ACKNOWLEDGEMENT

Signature of Applicant: _____ Date: _____

County _____ State _____

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: _____ (name(s) of principal(s)).

Notary Signature _____ Notary Printed or Typed Name _____

(SEAL)

My Commission Expires _____

FEES AND INSURANCE CERTIFICATION

This is to certify that I have garage liability insurance with _____ policy number _____ as required by the North Carolina Financial Responsibility Act of 1957, and certify that there has not been a license plate revocation. A copy of your garage liability certificate must be attached.

Dealer License Certificate- \$ _____

Quantity of first 5 plates _____ x Plate fee of \$38.75 + RTA Fee (if applicable, see below) \$ _____ = \$ _____

Quantity of additional dealer plates _____ x Plate fee of \$19.50 + RTA Fee (if applicable) \$ _____ = \$ _____

Quantity of dealer transporter plates _____ x Plate fee of \$19.50 + RTA Fee (if applicable) \$ _____ = \$ _____

Regional Transit Authority Tax (RTA) fees –In counties where a special tax has been authorized, an additional fee for each plate will be due as indicated:

Wake County \$15.00 per plate Randolph County \$1.00 per plate Orange/Durham County \$15.00 per plate.

Number of Sales Representative applications (LT-426) attached _____ x \$21.50 per individual = \$ _____

Number of Temporary Marker sets requested _____ at \$25.00 per set of 25 = \$ _____

TOTAL FEES PAID: \$ _____

MOTOR VEHICLE DEALER SURETY BOND
NCDMV VEHICLE SERVICES - DEALER UNIT
3129 MAIL SERVICE CENTER, RALEIGH, NC 27697-3129

BOND NUMBER: _____ **EFFECTIVE DATE:** _____ **TIME:** _____ **(A.M.) (P.M.)**

KNOW ALL MEN BY THESE PRESENTS: That we, _____
(FIRM NAME AS LICENSED)
doing business at _____

as Principal and _____
as Surety are duly authorized to do business within the State of North Carolina, as Surety, are held and firmly bound to indemnify any person who may be aggrieved by fraud, fraudulent representation or violation by said Principal or sales representatives acting for such Principal within the scope of the employment of such sales representatives of any of the provisions of Articles 12 and 15 of Chapter 20 of the North Carolina General Statutes in the amount of Fifty Thousand Dollars (\$50,000) and Twenty-Five Thousand Dollars (\$25,000) for each additional place of business within this State at which motor vehicles are sold, lawful money of the United States of America, for payment of which we bind ourselves, jointly and severally, our joint and several heirs, executors, administrators, successors and assigns; provided that the aggregate liability under this bond shall not exceed _____ Thousand Dollars (\$ _____) for each license year for which the bond is effective.

WHEREAS, the Principal desires that a motor vehicle dealer's license be issued and thereafter reissued from time to time by the Commissioner of the North Carolina Division of Motor Vehicles; and

WHEREAS, the bond executed by the Principal and Surety is filed with the Commissioner in compliance with G.S. 20-288(e), to enable the Principal to obtain a license from the Division of Motor Vehicles under the provisions of that law.

NOW, THEREFORE, this bond is conditioned on the Principal's promise to faithfully conform to and abide by the provisions of Articles 12 and 15 of Chapter 20 of the North Carolina General Statutes.

This bond may not be cancelled by the Surety unless: (1) the Principal has terminated the operations or its business or its license has been denied, suspended or revoked under G.S. 20-294; (2) there is a nonpayment of the premium in accordance with the terms for the issuance of the surety bond and the Surety has complied with the requirements of G.S. 20-288(f); or (3) an act or omission by the license holder or his representative that constitutes a substantial and material misrepresentation or nondisclosure of a material fact in obtaining the surety bond or renewing the bond and the Surety has complied with the requirements of G.S. 20-288(f). The Surety may refuse to renew a surety bond by providing written notice of nonrenewal to the license holder and to the Commissioner not less than 30 days prior to the premium anniversary date of the surety bond under the requirements of G.S. 20-288(g). Cancellation under (1), (2), and (3) may be had only upon 30 days' written notice to the Commissioner of Motor Vehicles by the Surety and shall not affect any liability incurred or accrued prior to the termination of such 30-day notice period. Cancellation for nonpayment of premium under (2) is not effective if the amount due is paid before the effective date set forth in the notice of cancellation required under the guidelines set forth in G.S. 20-288(f). The nonrenewal of a surety bond shall not affect any liability incurred or accrued prior to the premium anniversary date of the surety bond.

(PRINCIPAL)
BY: _____
(TITLE)

(SURETY)

(ADDRESS)
BY: _____
(TITLE)

APPLICATION FOR SALES REPRESENTATIVE LICENSE

NCDMV VEHICLE SERVICES - DEALER UNIT
3129 MAIL SERVICE CENTER, RALEIGH, NC 27697-3129

1. APPLICANT INFORMATION. Please print legibly. Use complete legal name as it appears on your Driver's License/ID Card.

Applicant Name: _____ Driver's License Number: _____

Physical Address: _____

City: _____ State: _____ Zip: _____

Birthdate: _____ Race: _____ Weight: _____

Hair Color: _____ Sex: _____ Height: _____ Eye Color: _____

Dealer Salesman _____ Distributor Sales Rep _____ Factory Rep _____

2. ENDORSEMENT BY EMPLOYER. AS EMPLOYER I UNDERSTAND THAT I AM RESPONSIBLE FOR THE ACTS OF ALL SALES REPRESENTATIVES EMPLOYED BY ME WHILE ACTING AS MY AGENT.

Business Name: _____ Dealer License Number: _____

Address: _____

Signature of Employer: _____ Date: _____

3. AS THE APPLICANT, I HERBEY CERTIFY THAT:

(1.) I have been convicted of an offense set forth under N.C.G.S. 20-106, 20-106.1, 20-107 or 20-112 within 5 years next preceding the date of filing the application. **Yes or No (circle one)** *Initial: _____

(2.) I have been convicted of a crime: (a) possibly related to the duties and responsibilities for holding a sales representative license; or (b) violent or sexual in nature. **Yes or No (circle one)** *Initial: _____

(3.) I have previously been denied or had a license issued under the Dealer Licensing Act that was suspended or revoked. **Yes or No (circle one)** *Initial: _____

(4.) I am familiar with and will comply with all the laws and regulations governing the conduct of motor vehicle salesmen or representatives and will cooperate with the Division in administering the North Carolina Motor Vehicle Dealers and Manufacturers Act. The information and certifications contained in this application are true and correct to the best of my knowledge and belief. **Yes or No (circle one)** *Initial: _____

In reviewing an application, the Division may only deny an application based on a conviction under the requirements of N.C.G.S. § 20-294 and N.C.G.S. § 93B-8.1. Upon review of the application where the applicant has a criminal conviction, the Division shall consider:

- (a) The level and seriousness of the crime.
- (b) The date of the crime.
- (c) The age of the person at the time of the crime.
- (d) The circumstances surrounding the commission of the crime, if known.
- (e) The nexus between the criminal conduct and the prospective duties of the applicant as a licensee.
- (f) The prison, jail, probation, parole, rehabilitation, and employment records of the applicant since the date the crime was committed.
- (g) The completion of, or active participation in, rehabilitative drug or alcohol treatment.

Requirements continued.

- (h) A Certificate of Relief granted pursuant to C.S. 15A-173.2.
- (i) The subsequent commission of a crime by the applicant.
- (j) Any affidavits or other written documents, including character references.

If you answered "YES" to questions (1), (2) or (3) above indicating that you have such a conviction, you may attach any information relevant for the Division to consider in reviewing your application. Such information can include, but not be limited to, the considerations listed above in (a) through (j) that the Division shall consider.

Any material misstatement on this application and/or other grounds besides convictions listed under N.C.G.S. § 20-294 may authorize the denial of the application.

If the Division denies an application based on a conviction and/or other grounds listed under N.C.G.S. § 20-294, the applicant may appeal the denial under the procedures set forth under N.C.G.S. § 20-300, N.C.G.S. § 150B-45, and the remaining provisions of Article IV of Chapter 150B.

Signature of Applicant: _____ Date: _____

County: _____ State: _____

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:
_____ (name(s) of principal(s)).

Notary Signature _____ Notary Printed or Typed Name _____

(SEAL)

My Commission Expires _____