DMV-126-A-DS
Rev. 4/92

(This application must be typewritten or printed legibly in ble or black ink)

State of West Virginia

Division of Motor Vehicles

Dealer Services Section

APPLICATION FOR NEW OR USED MOTOR VEHICLE DEALER LICENSE CERTIFICATE

Dealer License Certificate Number **D** _____

DUC _____

NAME OF FIRM OR TRADE NAME UNDER WHICH THE DEALER SHIP WILL BE OPERATED

NAME _____

MAILING ADDRESS _____

PRINCIPAL BUSINESS ADDRESS OR LOCATION _____

CITY _____ COUNTY _____ STATE _____

ZIP CODE _____ TELEPHONE NUMBER _____

If business is located in a suburban or rural area out of the city or town limits, the following information must be shown on the application:

State or Federal Highway Route number _____; Miles business is located from town or city limits _____;

Check proper direction from city or town: _____ North, _____ South, _____East, _____ West.

The undersigned hereby makes application for a Dealer License Certificate and _____ license plates.

Attached hereto is a check _____, money order _____, in payment of the required fees as outlined below:

One Plate and Dealer License Certificate . . . . . $ ____250.00_

_____ Dealer Recovery Fund . . . . . $ ____150.00_

_____ Class D Plates up to Two Exempt of Formula at $5.00 each . . . . . _____

_____ Class DUC Plates up to Two Exempt of Formula at $5.00 each . . . . . _____

_____ Additional Plates Within Formula at $5.00 each . . . . . _____

_____ Special Demonstration Plate At $100.00 . . . . . _____

_____ Additional Special Demonstration Plates at $50.00 each . . . . . _____

_____ Additional Certified Copies of Dealer License Certificate, if required, at $1.00 each . . . . . _____

TOTAL FEES SUBMITTED WITH APPLICATION . . . . . $ _____

. . . . . .

(This Space For Department Use Only)

Checked and approved by _____ Date _____

License certificate issued by _____ Date _____

ALL DEALER APPLICATIONS FOR LICENSE CERTIFICATE MUST BE TYPEWRITTEN OR PRINTED LEGIBILITY. QUESTIONS AND INFORMATION REQUESTED IN THE APPLICATION MUST BE ANSWERED IN DETAIL, IF THE QUESTION APPLIES TO THE TYPE OF DEALERSHIP FOR WHICH YOU ARE MAKING APPLICATION, FAILURE TO COMPLY WILL RESULT IN THE RETURN OF YOUR APPLICATION AND WILL DELAY ISSUANCE OF LICENSE. ANY FALSE STATEMENT OF A MATERIAL FACT IN THIS APPLICATION IS SUFFICIENT REASON TO REFUSE, SUSPEND OR REVOKE A DEALER LICENSE CERTIFICATE..

ALL INFORMATION SUBMITTED WITH THIS APPLICATION SHALL BE CONFIDENTIAL FOR THE USE OF THE COMMISSIONER OF MOTOR VEHICLES IN CONSIDERING THIS APPLICATION.

THE APPLICANT AS DEFINED AND USED IN THIS APPLICATION SHALL HAVE THE FOLLOWING MEANING: AN INDIVIDUAL OPERATING IN HIS OWN NAME OR UNDER A TRADE NAME: TWO OR MORE PARTNERS OPERATING UNDER A CO-PARTNERSHIP NAME OR UNDER TRADE NAME: THE OFFICERS AND DIRECTORS OF A CORPORATION UNDER THE CORPORATE NAME.

. . . . . .

FULL NAME, HOME ADDRESS, AND HOME TELEPHONE NUMBER OF PERSON WHO IS RESPONSIBLE FOR BUSINESS MANAGEMENT OF THE LEADERSHIP:

_____

_____

_____ Telephone No. _____

1. If the application is for an individual dealer, list the full name, home address and home telephone number of the individual applicant, if the application is for a partnership, list the full name, home address and home telephone number of each partner. If the application is for a corporation, list the full name, home address and home telephone number of at least three officers in the corporation.

_____

_____

_____

2. List the full name, home and employment address and telephone number of at least three business references.

_____

_____

_____

3. If you plan to do business as a new or used motor vehicle dealer in other locations in this state, give name and address of each.

Name Address

_____

_____

4. In the proper space below, show the exact number of motor vehicles sold at wholesale and retail by the applicant or his predecessor, if any, during the preceding year. If no motor vehicles were sold at wholesale and retail by such applicant or his predecessor during the preceding fiscal year, the number of motor vehicles the applicant reasonably expects to sell at wholesale and retail during the ensuing fiscal year.

_____ New car dealer only – exact number of new and used motor vehicles sold at wholesale and retail by the applicant during preceding fiscal year.

_____ New car dealer only – exact number of new and used motor vehicles sold at wholesale and retail by my predecessor for the preceding fiscal year.

_____ New car dealer only – if no new and used motor vehicles were sold by the applicant or his predecessor during the preceding year, the number of vehicles the applicant reasonably expects to sell at wholesale and retail during the ensuing year.

_____ Used car dealer only – exact number of used motor vehicles sold at wholesale and retail by the applicant the preceding year.

_____ Used car dealer only – exact number of used motor vehicles sold at wholesale and retail by my predecessor for the preceding fiscal year.

_____ Used car dealer only – if no used motor vehicles were sold by the applicant or his predecessor during the preceding year, the number applicant reasonably expects to sell at wholesale and retail during the ensuing fiscal year.

5. If application is for a dealer in new motor vehicles, give the following information:

   A. Manufacturer's name and make of all motor vehicles you will sell at any location designated on your dealer license certificate.

   _____

   _____

   _____

   B. Do you have a franchise with the manufacturers to sell the above named motor vehicles in this state?

   Yes _____ No _____

   C. Is a copy of the franchise agreement attached? Yes _____ No _____

   D. Name and complete mailing address of all of the manufacturer's branch offices or distributors that supply the above vehicles.

   _____

   _____

   _____

6. Has applicant or any partner, officer, director or employee, previously applied for a dealer license certificate in this or any other state? Yes _____ No _____ If so, was the license certificate issued or refused? _____ If refused, state reason:

_____

If issued, in what state? _____

Name of dealership certificate was issued for:

_____

For what period of time was certificate issued? _____

Was the certificate suspended or revoked? Yes _____ No _____ (If yes, please explain why and when):

_____

_____

7. Has applicant or any partner, if a partnership, or any officer or director, if a corporation, been convicted of a felony? Yes _____ No _____ If yes, please advise date, court and charge.

_____

_____

8. Has the applicant, or any partner, if a partnership, officer or director, if a corporation, filed bankruptcy or defaulted on a financial obligation within the past five years? Yes _____ No _____ If yes, please advise date, court and location.

_____

_____

9. Section A applies only to new or used motor vehicle dealers who own or lease a building that is used to service or display vehicles. Section B applies to applicants operating exclusively as a used car dealer from a lot with no service or display building.

   A. Does applicant own building on which business is located: Yes _____ No _____ if not, do you have a written lease with owner of building? Yes _____ No _____ Full name and address of owner of building:

   _____

   _____

   Date lease expires _____

   Size of building : Frontage _____ Depth _____

   Size of office: Frontage _____ Depth _____

   Number of vehicles that can be displayed in building _____

   Number of vehicles that can be repaired and serviced in building, exclusive of inspection, wash and grease

   Lanes _____

   Does applicant have a lot adjacent to building on which vehicles may be displayed to the public?

   Yes _____ No _____

   If so, specify type of surface on lot (grael, cement, blacktop, etc.) _____

   Number of vehicles that can be displayed on lot _____

   B. Is applicant operating exclusively from a lot? Yes _____ No _____

   Full name and address of the owner of lot _____

   _____

   _____

   Date lease expires _____

   Size of lot: Frontage _____ Depth _____

Specify type of surface on lot (gravel, cement, blacktop, etc.) _____

_____

Number of vehicles that can be displayed on lot: _____

Is there an office building on lot? Yes _____ No _____ If so, size of building:

Frontage _____ Depth _____

Does applicant have facilities at another location to properly service and repair vehicles sold to public?

Yes _____ No _____ .

Location : _____

If not, name, address and location of individuals of individual(s), company or corporation you have written agreement or agreements with to service and repair vehicles you may have fopr sale.

_____

_____

10. Number of years applicant has engaged in the business of buying and selling motor vehicles at this or other location

_____

Briefly outline previous general business experience and history for the past ten years of applicant, if the applicant be an individual; or of each partner, if the applicant be a co-partnership; of each officer if the applicant be a corporation.

_____

_____

_____

_____

_____

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11. Does applicant have a liability insurance policy in effect that complies with the minimum limits as provided in chapter Seventeen D, Article 4, Section 2 of the Code? Yes _____ No _____

Name of insurance company _____

Address of insurance company _____

Insurance policy number _____

Name, address and telephone number of local agent of the insurance company issuing policy:

_____

_____

_____ Telephone Number _____

NOTE: DIVISIN OF MOTOR VEHICLES FORM NO, DMV-126-DS-J, CERTIFICATE OF LIABILITYINSURANCE, PROPERLY EXECUTED BY YOUR INSURANCE COMPANY MUST ACCOMPANY THE APPLICATION FOR DEALER LICENSE CERTIFICATE.

12. Does applicant have bond in the amount of ten thousand dollars ($10,000) that complies with the provisions of Chapter Seventeen A, Article Six, Section Four of the West Virginia Code? Yes _____ No _____

Name of bonding company _____

Address of bonding company _____

Bond Number _____

Name , address and telephone number of local agent of the company issuing bond.

_____

_____

_____ Telephone Number _____

13. Will your place of business be occupied by you and used exclusively for the purpose of selling motor vehicles? Yes _____ No _____ If not, explain:

_____

_____

14. List below the full names and home addresses of employees or agents in your business that are (or will be) authorized to execute assignment of titles and applications for registrations for registration plates or to otherwise transact business in the name of this dealership.

_____

_____

_____

_____

15. Will the applicant display at least one permanent sign, clearly visible from the principal street or highway, with letters at least four inches in height specifically identifying trade name and type of business to be conducted at the location?

Yes _____ No _____

16. Is the applicant's location completely separated from a residential area and in an area zoned for business?

Yes _____ No _____

17. Is your business being operated in conjunction with a junk or salvage yard? Yes _____ No _____

18. Will applicant maintain a written record of the salesmen, mechanics, employees, agents, officers or other persons to whom a special dealer plate is assigned? Yes _____ No _____

19. List the full name and home address of all salesmen, mechanics, employees, agents, officers or other persons to whom a special plate or plates would be assigned by the dealer when the license certificate is issued.

_____

_____

_____

_____

_____

_____

20. Will applicant keep and maintain in permanent form a record a every vehicle, vehicle body or chassis which is bought, sold, exchanged, or otherwise acquired or disposed of as required under 17A-6-16 of the Code?

Yes _____ No _____

21. Will applicant keep and maintain in permanent form a written sales instrument which contains all of the agreements between the buyer and the seller required under 17A-16-17 of the Code and legislative rules and regulations?

Yes _____ No _____

22. Will applicant keep and maintain in a permanent form a record of all temporary registration certificates issued as required under 17A-6-15 of the Code and legislative rules and regulations?

Yes _____ No _____

23. Will all records of vehicles sold and temporary registration certificates issued be available during posted office hours to authorized personnel of the Division of Motor Vehicles and all law enforcement officers?

Yes _____ No _____

24. List by day of week and hours of the day the regular business hours of applicant.

_____

_____

25. Attach at least one photograph (size no less than 3 X 5 inches) of the established place of business that clearly shows the office, the display lot and one permanent sign. (Application will not be considered that does not have a photograph).

26. State Tax Department Business Franchise Certificate Number:

_____

27. City license number (if required) _____

28. Attach a receipt showing full payment of the business personal property taxes for the calendar year which immediately precedes the calendar year of the application.

A. In the event the applicant didi not own a business the preceding year, the applicant's individual paid receipt is to be submitted.

B. In the event the applicant was not a resident of West Virgnia the preceding year, a sworn affidavit stating as much must be submitted.

STATE OF WEST VIRGINIA

COUNTY OF _____, TO-WIT:

Before the undersigned authority this day personally appeared

_____, who being first duly sworn upon his oath, deposes and says that he is the applicant, if the applicant be an individual, or a partner, if the applicant be a copartnership, or a duly authorized officer of the applicant, if the applicant be a corporation; that he has at the principal business address or location shown above, an "established place of business," as that term is defined in Section 1, Article 6, Chapter 17A of the Code of West Virginia, as amended; that he is familiar with Article ^, Chapter 17A of said Code; that he is familiar with the law governing the issuance of dealer special plates and the use thereof; that all statements contained in this application are true and correct to the best of his knowledge and belief; and that he understands that fraudulent or misleading statements contained herein may be considered cause for the immediate suspension or revocation of the dealer license certificate or dealer special plates issued pursuant to such application.

_____ (Seal)
(Sign here if applicant is an individual)

_____ (Seal)

By _____

Its _____
(Sign here if applicant is a corpopration and affix corporate seal)

_____ (Seal)
A partner
(Sign here if the applicant is copartnership)

Taken, subscribed and sworn to before me this _____ day of _____ 20 _____

My commission expires _____

_____
Notary Public