

REQUIREMENTS FOR LICENSE - MOTOR VEHICLE DEALER BRANCH LOCATION OR RELOCATION

Access this form via website at: www.hawaii.gov/dcca/areas/pvl

APPLICATION & SUPPORTING DOCUMENTS

APPLICATION

Complete the attached application form. Type or print legibly in dark ink. If applicant is a partnership, all partners must sign. Applicants are subject to requirements in effect at time of filing.

- **Failure to provide all the requested information will delay the processing of your application.**

SELF-INSPECTION REPORT

Applicant must **ATTACH** a self-inspection report which includes a written description of the premises, including a drawing of your site showing measurements of all facilities, including the boundaries of the proposed premises and sanitary facilities. Do not submit blueprints.

If you intend to share space with other businesses, you must comply with the licensing requirements regarding the place of business. Your display stalls and office areas must be clearly marked with the applicant's name so that the public is not confused about the motor vehicle dealer with whom they are transacting business.

PHOTOGRAPHS

Attach photographs of proposed premises including your building's display area (minimum of 3 display stalls where you can display, at any one time, at least three motor vehicles having an average wheel base of 90 inches), your office (inside and out), your business sign (or if unavailable, a rendering of what the sign will look like), and public restrooms.

Photographs must be clearly labeled on separate sheets of paper.

RENTAL or LEASE AGREEMENT

Attach copy of lease or rental agreement for the site. The lease or rental agreement shall be for a minimum term of one (1) year from the date application is submitted, provide the terms of the agreement and be signed by both parties. The name AND address on the agreement **MUST** be the same name AND address as provided on the application form. If your lease is a sublease under a master lease, also submit written authorization from the landlord that the sublease is allowed.

FRANCHISE (NEW DEALER ONLY)

Attach a copy of any new Dealer's Sales and Service Agreement(s) from the manufacturer or distributor attesting that the applicant is authorized to sell or distribute such new motor vehicles to be sold only at this location.

REPAIR FACILITIES (NEW DEALER ONLY)

Repair dealers are required to be registered with the Motor Vehicle REPAIR Industry Board as a motor vehicle repair dealer in compliance with Chapter 437B, Hawaii Revised Statutes.

If you have no repair facilities of your own and will be having your work done by a reputable garage, **ATTACH** a certification letter from such garage.

TRADENAME

If applicant will be using a tradename, **attach** a **current** "filed-stamp" copy of the **"Application for Registration of Tradename"** approved by the Business Registration Division. You may contact them at (808) 586-2727.

LICENSED CAR SALESPERSONS

On the application list the name(s) and license number(s) of all currently licensed car salespersons who will be employed at this location. If they are presently with another employer, submit completed transfer forms and \$10 for each.

FEES - BRANCH OFFICE

Attach the appropriate fee. Make check payable to: COMMERCE & CONSUMER AFFAIRS.

If applying between July 1, even-numbered years and June 30, odd-numbered years, pay:

New & Used Vehicle Dealer & Motorcycle-Scooter – Honolulu \$460
(Application - \$50*, License fee - \$150, CRF - \$110, ½ Renewal - \$150)

New & Used Vehicle Dealer & Motorcycle-Scooter - Islands \$310
(Application - \$50*, License fee - \$75, CRF - \$110, ½ Renewal - \$75)

If applying between July 1, odd-numbered years and June 30, even-numbered years, pay:

New & Used Vehicle Dealer & Motorcycle-Scooter – Honolulu \$255
(Application - \$50*, License fee - \$150, CRF - \$55)

New & Used Vehicle Dealer & Motorcycle-Scooter – Islands \$180
(Application - \$50*, License fee - \$75, CRF - \$55)

FEE – RELOCATION

Attach \$50* application fee. Make check payable to: COMMERCE AND CONSUMER AFFAIRS

* *Application fees are nonrefundable.*

NOTE: *One of the numerous legal requirements that you must meet in order for your new license to be issued is the payment of fees as set forth in this application. You may be sent a license certificate before the payment you sent us for your required fees is honored by your bank. If your payment is dishonored, you will have failed to pay the required licensing fee and your license will not be valid, and you **may not** do business under that license. Also, a \$25.00 service charge shall be assessed for payments that are dishonored for any reason.*

If for any reason you are denied the license you are applying for, you may be entitled to a hearing as provided by Title 16, Chapter 201, Hawaii Administrative Rules, and/or Chapter 91, Hawaii Revised Statutes. Your written request for a hearing must be directed to the agency that denied your application, and must be made within 60 days of notification that your application for a license has been denied.

To verify whether your proposed premise complies with the respective county ordinance(s), contact the county where your premise is located:

ZONING COMPLIANCE

City and County of Honolulu
Department of Planning & Permitting
650 So. King St., Honolulu, HI 96813
Phone: 768-8252

County of Maui
Planning Department
Kalana Pakui Bldg.
250 S. High St., Suite 200, Wailuku, HI 96793
Phone: 270-7253

County of Kauai
Planning Department
444 Rice St., Suite 473
Lihue, HI 96766
Phone: 241-6677

County of Hawaii
Planning Department
East HI: Aupuni Center, 1010 Pauahi St., Suite 3, Hilo, HI 96720
Phone: 961-8288

West HI: Hanama Place, 75-5706 Kuakini Hwy., Suite 109, Kailua-Kona, HI 96740
Phone: 327-3510

BOARD'S ADDRESS

Mail all required items to:
*Motor Vehicle Industry Licensing Board
DCCA, PVL, Licensing Branch
P.O. Box 3469
Honolulu, HI 96801*

Deliver to office location at:
*335 Merchant St., Rm. 301
Honolulu, HI 96813
Phone No. (808) 586-3000*

Instructions for "Yes" Answers to Questions (3) through (6) of the Application for License (MOVE-03)

- A. The following documentation must be submitted with the license application. Applications for license will not be considered without this material.
 - 1. Questions 3, 4, and 5 refer to complaints, charges of unlicensed activity, or pending disciplinary actions for any profession, occupation, or license, both motor vehicle and those other than motor vehicle. If your answer is "yes" to one or more of these questions, read paragraph "B" below, **AND** you must **submit** the following:
 - i. A statement signed by you explaining the circumstances; and
 - ii. Copies of any documents from the agency, including final orders, petitions, complaints, findings of fact and conclusions of law, and any other relevant documents.
 - 2. If your application indicates a criminal conviction, read paragraph "B" below, and you must **submit** the following:
 - i. A statement signed by you explaining the circumstances leading to the conviction and detailing all activities since the conviction, including employment and business involvements. Include job title, period of employment, employer's name, description of duties, training attended, and educational courses attended;
 - ii. A copy of the court order, verdict, and terms of sentence;

**Instructions for "Yes" Answers to Questions (3) through (6) of the Application for License (MOVE-03)
(Cont'd)**

- iii. If applicable, a copy of the terms of probation and/or parole and a notarized statement from your probation or parole officer as to your compliance with the court orders; and
- iv. A current criminal history record check in your name, which you may obtain from the Hawaii Criminal Justice Data Center. Contact the Department of the Attorney General, Hawaii Criminal Justice Data Center, Kekuanao'a Building, 465 S. King Street, Rm. 101, Honolulu, HI 96813. Ph: (808) 587-3100 or visit their website at: www.hawaii.gov/hcjdc to request a "Criminal History Record Check" form.

Note: If your criminal conviction occurred in a state or states other than Hawaii, a current criminal history record check will be required from each state **AND** Hawaii. Contact the local authority or board in each state for their forms, instructions and fees on obtaining criminal history record checks.

- B. If you answered "yes" to questions (3) through (6), your application will be reviewed at a Motor Vehicle Industry Board meeting if you have provided all applicable information and documents as described above. The Board will not review incomplete applications. If you wish to present oral testimony at the meeting, submit a written request with your application.

INFORMATION & MAINTENANCE OF LICENSE

BOARD REVIEW	After submission of a complete self-inspection report, the preliminary approval to operate may be granted, subject to ratification by the board at its next regular meeting, usually held each month.
BIENNIAL RENEWAL	All licenses, regardless of issue date , are subject to renewal on or before June 30 of each EVEN-NUMBERED year. Notices of renewal are mailed approximately 6 weeks prior to the expiration date. If a notice is not received, contact the board's office.
CHANGES	Notify the board in writing and file all appropriate applications when required, for all changes affecting the license such as business location, business name, branch office locations, franchises obtained/terminated and salesperson terminated.
LAWS & RULES	<p>To obtain a copy of the laws, Chapter 437, HRS, and rules, Chapter 86, HAR, of the Motor Vehicle Industry Licensing Board, send a written request to the address above. Chapter 436B, Hawaii Revised Statutes, the Professional and Vocational Licensing Law should be read in conjunction with Chapter 437 and Chapter 86.</p> <p>The laws and rules are also posted on our website at: www.hawaii.gov/dcca/areas/pvl. Click on "Motor Vehicle Industry".</p>
ABANDONMENT OF APPLICATION	Pursuant to HRS §436B-9 your application shall be considered abandoned and shall be destroyed if you fail to provide evidence of continued efforts to complete the licensing process for two consecutive years. The failure to provide evidence of continued efforts includes but is not limited to: (1) failure to submit any required information and documents requested by the licensing authority within two consecutive years from the last date the documents and information were requested, or (2) failure to complete any additional requirements for licensure that remain after approval of your application, such as attempting to complete an exam requirement, within two consecutive years from the date your application was approved, or (3) failure to provide the licensing authority with any written communication during two consecutive years indicating that you are attempting to complete the licensing process. If an application is deemed abandoned the applicant shall be required to reapply for licensure and comply with the licensing requirements in effect at the time of the reapplication.

This material can be made available for individuals with special needs. Please call the Licensing Branch Manager at (808) 586-3000 to submit your request.

**APPLICATION FOR BRANCH LOCATION and
APPLICATION FOR RELOCATION - MOTOR VEHICLE DEALER**

Check the type of application being made:

New Branch Location MVD-_____

Relocation of Main Office MVD-_____

Former Location _____

Relocation of Branch Office MVB-_____

Former Location _____

Name of Applicant: (If Individual, First-Middle-Last; or name of Corporation, Partnership, LLC or LLP)

Trade Name: (if any used)

Address of NEW Location (include street address, city, state and zip code)

Mailing Address (ONLY if different from new location):

List PROPER NAME(S) & LICENSE NUMBER(S) of all currently licensed salespersons: (Attach transfer forms and \$10 if they are presently with another employer.)

<u>Name</u>	<u>License No.</u>	<u>Name</u>	<u>License No.</u>
_____	CS-_____	_____	CS-_____
_____	CS-_____	_____	CS-_____
_____	CS-_____	_____	CS-_____

List Make(s) and attach copy of Dealer's Sales & Service Agreement	List Make(s)

Are there any other persons engaged in the selling, displaying, offering for sale, or dealing in motor vehicles other than those listed above? If "YES", attach explanation. YES NO

IF THERE HAVE BEEN ANY CHANGES IN THE OPERATIONS, OR OF PRINCIPALS, OFFICERS, MANAGERS OR MEMBERS OF THE DEALERSHIP, COMPLETE APPROPRIATE SECTIONS BELOW (If no changes, go directly to page 2 and sign application).

	Name	Residence Address (Include Apt. No., City, State, & Zip Code.)	Phone Number	Social Security No.
ENTITY	President, Partner, Manager or Member			
	Vice-President, Partner, Manager or Member			
	Secretary, Partner, Manager or Member			
	Treasurer, Partner, Manager or Member			

FOR BOARD USE ONLY

<input type="checkbox"/> Appl signed & questions	To Exec Officer:
<input type="checkbox"/> \$50/460/310/255/180	
<input type="checkbox"/> Self Inspection Report	
<input type="checkbox"/> Photos	Approved/date:
<input type="checkbox"/> Lease Agreement	
<input type="checkbox"/> New Franchise Agreement	
License No.	Effective Date:

Was this lot previously occupied by a car dealer? YES NO

If "yes", name of dealer: _____

Was this lot vacant before your occupation? YES NO

Phone No. (days): _____ Social Security No.: _____

(CONTINUED ON BACK)

- Appl..... 366 \$50
- Lic 368 \$150/\$75
- CRF..... 367 \$110/\$55
- ½ Ren 330 \$150/\$75
- Service Charge .. BCF \$25

List EMPLOYMENT RECORD of all new principal(s), officer(s), manager(s) or member(s). Include such information as: Dates (mo/yr) of employment, position title; and employer's name, business address and phone, and nature of business. Account for all time including periods of unemployment, school and military service. Use supplemental sheet if necessary.

Circle the appropriate response. Questions 1 through 6 refer to the applicant, to any new officer or director of the corporation, to any new manager or new member of the LLC, or to any new partner of the partnership or LLP. **If any response to questions 3 through 6 is "YES", refer to the instructions for additional documents that must be submitted with this application.**

- 1) Are you at least 18 years of age? YES NO
- 2) Are you a U.S. citizen, a U.S. national, or an alien authorized to work in the U.S.? YES NO
- 3) Has applicant and/or partners, and/or officers, and/or directors, and/or managers, and/or members of the entity ever been guilty of a fraudulent act in connection with selling or dealing in motor vehicles? YES NO
- 4) Has applicant and/or partners, and/or officers, and/or directors, and/or managers, and/or members of the entity ever had a license suspended, revoked or otherwise subject to disciplinary action? YES NO
- 5) Are there any pending disciplinary actions in any jurisdiction against you? YES NO
- 6) Has applicant and/or partners and/or officers and/or directors and/or managers and/or members of the entity during the past 20 years ever been convicted of a crime in which the conviction has not been annulled or expunged? YES NO

I/We hereby certify that the statements, answers and representations made in this application and in the documents attached are true and correct. I/We certify that our premise is in compliance with Chapter 437, Hawaii Revised Statutes and Chapter 86, Hawaii Administrative Rules and that I/we have verified with the respective county that the premise is zoned to conduct motor vehicle dealer activity.

I/We further certify that I have read and will abide by the provisions of Chapter 437, Hawaii Revised Statutes and Chapter 86, Hawaii Administrative Rules.

I/We understand that any misrepresentation is grounds for refusal to grant or subsequent revocation of license and is a misdemeanor (Section 710-1017, Sections 436B-19 and 437-28, Hawaii Revised Statutes).

_____ Date

_____ Signature

Print Name _____

Title _____

_____ Date

_____ Signature

Print Name _____

Title _____