

III. REQUIREMENTS OF RECYCLERS AND MOBILE CRUSHERS

A. **Established place of business.** The established place of business of a recycler or scrap processor shall:

1. Be a permanent location within the State which is easily accessible and open to the public at all reasonable times:
 - a. Is owned or leased by the applicant. If leased, a witnessed or notarized copy of the lease is required to be filed with the application;

Mobile crushers are exempt from this requirement.

2. Have facilities which:
 - a. Are adequate for the storage and display of vehicles being handled; and
 - b. Facilities and display areas must be reasonably free of debris, hazards and unrelated materials.

Mobile crushers are exempt from this requirement.

3. Have a suitable office which:
 - a. Is adequate for business being conducted;
 - b. Contains records of the business; and
 - c. Is reasonably free of debris, hazards and unrelated materials.

4. Have business hours which are posted and clearly visible to the public;

Mobile crushers are exempt from this requirement.

5. Display the license and supplement license(s) issued;

6. Have an exterior sign which meets the following requirements (unless a municipality has established ordinances regulating signs contrary to these rules, whereupon the Secretary of State, upon notification by the dealer of such ordinances, may grant an exception to these rules to the dealer affected):

- a. The sign shall be permanently mounted, displayed at the established place of business and shall not be less than 12 square feet in surface size;
- b. The sign shall be visible from the entrance to the lot and the letters of the sign shall be readable from a distance of 200 feet; and

- c. The sign shall contain the trade or business name of the dealer and related businesses only.

Mobile crushers are exempt from this requirement.

7. Maintain records as follows:

- a. Records shall be maintained at the established place of business during posted business hours and shall be available for inspection by agents of the Secretary of State or the Office of the Attorney General or duly authorized members of law enforcement agencies. Dealers or mobile crushers which do not have business hours between 8:00 a.m. and 5:00 p.m. shall make records available upon reasonable demand and advance notice by the Secretary of State, the Office of the Attorney General or law enforcement agencies;
- b. All records shall be kept for a minimum of 5 years in accordance with Title 29-A § 956-1;

B. **Application.** In addition to filling out the basic application, an applicant for a recycler, mobile crusher or scrap processor license shall:

- 1. Answer, on a form prescribed by the Secretary of State, basic questions relative to the ownership and facilities of the established place of business and shall swear before a notary as to the truthfulness of the answers;
- 2. Submit to an investigation as follows:
 - a. Upon receipt of an application for a recycler or scrap processor license the Secretary of State shall conduct an investigation into the ownership and facilities of the established place of business. Periodic inspections of the premises and facilities will be conducted thereafter to ensure continued compliance with all applicable laws, rules and regulations;

Mobile crushers are exempt from an inspection of the premises and facilities.

- b. Prior to approval of an application the applicant must submit a State Police (SBI) background report for all owners, including corporate owners and partners. The Secretary of State may require an SBI background report at the time of renewal for any dealership to be submitted with the renewal application.
- 3. Prior to approval of an application for a recycler or scrap processor license, an investigator's report shall be submitted to the Secretary of State affirming that the dealership entity conforms to all applicable laws, rules and regulations;

Mobile crushers are exempt from this requirement.

4. Pay the appropriate filing fee at the time of application in addition to the license fee. Any business licensed by the Secretary of State as a new car, used car or equipment dealer pursuant to Title 29-A § 951 is exempt from the recycler license fee;
5. Notify the Secretary of State of the sales tax number as issued by the Maine Revenue Services;
6. Furnish copies of properly recorded partnership papers, authority to operate under an assumed name, if applicable, proof of incorporation in the State of Maine, or proof of authority for a foreign corporation to conduct business in the State of Maine;
 - a. Mobile crushers based out-of-state must have a registered agent in the State of Maine and provide that agent's name, address and telephone number with the application;
7. Furnish proof of compliance with applicable building codes, zoning codes and other land use regulatory ordinances in the Maine municipality where the established place of business is operated;

Mobile crushers are exempt from this requirement.

8. Furnish proof of compliance with 30-A M.R.S.A., subchapter I, Section 3753;

Mobile crushers are exempt from this requirement.

9. Furnish a copy of a plot plan for the premises;

Mobile crushers are exempt from this requirement.

10. File a new application and fees whenever the ownership structure changes; and
11. New applicants must attend and complete the Dealer/Title Workshop conducted by the Vehicle Services Training Specialist within 4 months of licensure.

C. Permit Requirement. Mobile crushers must apply for a permit prior to conducting business within the State of Maine. The permit will be issued at no fee and must contain the date(s) and location(s) of the activity. A permit application must be submitted to the Dealer and Agent Services Section at least 48 hours each time prior to conducting business. The permit must be carried with the mobile crusher operator.

1. A mobile crusher being operated at a licensed recycler site is exempt from the permit requirement.