

Instructions

This packet contains the forms required to license a vehicle or vessel dealership in Idaho.

Applicants are cautioned to allow at least **30 days for license processing.**

WARNING: *It is recommended that you call Dealer Services at (208) 334-8681 to make sure your business name is not deceptively similar to another business name before submitting the application to the Idaho Transportation Department. Name approval from the Secretary of State does not guarantee approval from Dealer Licensing.*

If the applicant's business is in the name of a Corporation, Limited Liability Company (LLC), Limited Partnership (LP), or Limited Liability Partnership (LLP), a copy of the Status from the Secretary of State's Office must be submitted. If the applicant is an individual company or corporation doing business under any other name, an assumed or fictitious name filing must be applied for and recorded with the Secretary of State's Office. Submit verification of this filing with the application. **If a spouse is NOT active in a sole proprietor dealership (individual ownership), provide a release of interest from that spouse.**

All new applicants for a **used only and wholesale** dealership license must attend an 8 hour pre-licensing class and pass a closed book test. Confirmation that the class has been attended and the test has been passed must be verified before a license can be issued. Contact Idaho State Independent Automobile Dealers Association at (208) 463-7709 or (800) 950-8227 for more information.

A home residence that zoning has approved may NOT be used unless the dealership is either a separate building or a ground floor with a separate entrance and no entrance to the residence.

Submit a certificate of liability insurance in the amount of not less than \$25,000 bodily injury or death for one person, or \$50,000 for two people, and \$15,000 for injury or destruction of property.

Submit the Employer Identification Number (EIN) issued by the Federal government.

Submit the completed application, required attachments, and fees to:

Dealer Services, Idaho Transportation Department, PO Box 34, Boise ID 83731-0034

Upon completion of the application process, the Dealer Licensing Unit will assign a Motor Vehicle Investigator to inspect the principal place of business for compliance with the Dealer/Salesman Licensing Act and ITD Rules. Upon initial inspection, the dealership will be required to declare their business hours. When the dealer location is in compliance, initial applicants for an Idaho Dealership License are eligible for a ninety (90) day temporary license. A permanent license will be issued pending a successful 90-day follow up audit by a Motor Vehicle Investigator.

Failure to complete all the necessary forms and supply the required information may delay this process.

Licensing Fees

Fee Calculations

| | | | |
|---|----------|--|----------|
| Initial Application New and/or Used Dealership (Any Type) ... | \$190.00 | Licensing Fee | \$ _____ |
| Initial Application ICAR Fee (Retail Applicants Only) | \$300.00 | ICAR Fee (Retail Only) ... | \$ _____ |
| Dealer License Plates | \$ 21.49 | Number and Type of Dealer Plates Requested | |
| Supplemental Lot..... | \$ 44.00 | ____ Regular Plates | |
| Change of Location | \$ 44.00 | ____ Motorcycle Plates | |
| | | ____ Restricted Use Plates (off-road vehicles) | |
| | | ____ Total x \$21.49 | \$ _____ |
| | | Total Amount Due..... | \$ _____ |

Checklist

- Fees enclosed - make check payable to Idaho Transportation Department
- Application completed in full, with the **notarized** signatures of all the owners/officers/directors/members
- Franchises for all new vehicles/vessels sold (may not be within mileage restrictions of another matching franchised dealer)
- Used and Wholesale Vehicle Dealers - certification of attendance for pre-licensing 8 hour class and passing test
- Proof of Corporate, LLC, or LLP Status from the Secretary of State's Office and a list of officers/members
- Proof of fictitious or assumed name recording from the Secretary of State's Office
- Zoning approval signed
- Original signed Dealer Bond including all owners' names, corporation and/or dealership name (if not the same), and the address of the dealership location
- Copy of Sales Tax Number Certificate
- Liability Insurance Certificate
- EIN – Employer Identification Number
- Personal History form (ITD 3171) for each owner/officer/director/partner/member/salesperson
- Verification of phone number listed in a local or online directory

Application For Vehicle Or Vessel Dealership License

| | | | | | |
|------------------|----------------|----------------------------|-------|------------------|----------------------|
| Application Date | Dealership EIN | Number of Plates Requested | Large | Small Motorcycle | Small Restricted Use |
|------------------|----------------|----------------------------|-------|------------------|----------------------|

Application Type (Check One) (A New Application Must be Completed for Each Type)

New Application
 Change of Location
 Change of Business Name
 Supplemental Lot
 Change of Ownership
 Change of Officers/Members

| | |
|---|---|
| License Type (Check One) | Vehicle/Vessel Sales Type (Check All New Sales That Apply OR Check One Used Category) |
| <input type="checkbox"/> Wholesale <input type="checkbox"/> Retail | <input type="checkbox"/> New Automobile/Truck* <input type="checkbox"/> New Trailer* <input type="checkbox"/> Used ATV/UTV/MC/Snowmobile Only <input type="checkbox"/> New Recreational Vehicle* <input type="checkbox"/> New Vessel* <input type="checkbox"/> Only Used Vehicles (Including Trailer/ATV/UTV/Motorcycle/Snowmobile/Vessel) <input type="checkbox"/> New ATV, UTV, Motorcycle or Snowmobile* |

***A copy of the franchise agreement for any new vehicle or vessel make must be enclosed with your application.**

Dealership Information (Check One) (Complete All the Information Requested Below and see Instructions on Page 1)

Individual
 Partnership
 Corporation
 (Please submit verification of the filing.)
 Limited Partnership (LP)
 Limited Liability Partnership (LLP)
 Limited Liability Company (LLC)

Owner's Name(s) or Corporation/LP/LLP/LLC Name

Idaho Code 53-504 requires any business doing business as (DBA) a name other than the legal owner's name to file a Certificate of Assumed Business Name with the Secretary of State's Office. Idaho Code 53-504 exempts a corporation from this requirement, unless the corporation is using an assumed business name.

| | | | | |
|---|--|------------------|------------|--------------|
| Dealership or Trade Name (DBA) | | Dealership Phone | Fax Number | Cell Number |
| Street Address | | City | State | Zip Code |
| Mailing Address | | City | State | Zip Code |
| Directions to Dealership (If Other Than a Street Address) | | | | |
| Name of Person or Persons Having Legal Custody of Real Property | | | | Phone Number |
| Mailing Address | | City | State | Zip Code |

List the legal name (as shown on their driver's license) and title of each individual owner, partner, officer, member, or stockholder of the business. A Personal History form (ITD 3171) is required for each individual listed below (attach a separate sheet, if necessary).

| | |
|------|-------|
| Name | Title |
| Name | Title |
| Name | Title |
| Name | Title |
| Name | Title |

Zoning Authorization (This section must be signed and stamped by the county or zoning authority with jurisdiction over the dealership location if this is a new application, a change of location, or a new supplemental location. A separate authorization may be submitted.)

I hereby certify, in accordance with *Idaho Code 49-117(15)*, that the location listed above is in compliance with all county and/or city zoning and other land-use ordinances for the sale and repair of vehicles/vessels.

| | | |
|----------------------------|---------|---|
| Zoning Officer's Signature | | <i>Please Use Official Stamp (If Available)</i> |
| County of | City of | |

**Idaho Code 49-1610 requires appointment of the
Director of the Idaho Transportation Department
as a legal agent for the dealership.**

Complete Section I if the business is an individual; Section II if it is a partnership or Section III if it is a corporation or LLC. All owners, partners, members, or a majority of corporate officers must sign and **all signatures must be notarized.**

Section I Individual

| | |
|--|-----------------|
| I certify under Penalty of Perjury that I am the sole owner of (Name of Business) _____ and that all answers and information contained in this application are true and correct. | |
| I hereby appoint the Director of the Idaho Transportation Department as my true and lawful agent for the purpose of the service of process(es) in any action(s) that may hereafter be commenced against me and/or my dealership for alleged violations of <i>Chapter 16 Title 49 Idaho Code</i> . This agency shall continue during the period covered by any license that may be issued to me and so long thereafter as I may be made to answer for any violations of the aforementioned <i>Idaho Code</i> . (Husband and wife must sign in this section as an "individual") | |
| Signature _____ | Signature _____ |

Section II (Check One) Partnership Limited Partnership (LP) Limited Liability Partnership (LLP)

| | | |
|---|-----------------|-----------------|
| We certify under Penalty of Perjury that we are co-partners or members in (Name of Business) _____ and that no other person is associated in the ownership of the business, and that all answers and information contained in this application are true and correct. | | |
| We hereby appoint the Director of the Idaho Transportation Department as our true and lawful agent for the purpose of the service of process(es) in any action(s) that may hereafter be commenced against us and/or our dealership for alleged violations of <i>Chapter 16 Title 49 Idaho Code</i> . This agency shall continue during the period covered by any license that may be issued to us and so long thereafter as we may be made to answer for any violations of the aforementioned <i>Idaho Code</i> . | | |
| Signature _____ | Signature _____ | Signature _____ |
| Signature _____ | Signature _____ | Signature _____ |

Section III (Check One) Corporation Limited Liability Company (LLC)

| | | |
|--|------------------------------------|------------------------------------|
| I/We certify under Penalty of Perjury that (Name of Business) _____ is incorporated in the state of Idaho and is authorized to transact business in Idaho, and that all answers and information contained in this application are true and correct. | | |
| I/We, as Officer(s)/Member(s) of the Corporation or LLC, hereby appoint the Director of the Idaho Transportation Department as my/our true and lawful agent for the purpose of the service of process(es) in any action(s) that may hereafter be commenced against my/our dealership for alleged violations of <i>Chapter 16 Title 49 Idaho Code</i> . This agency shall continue during the period covered by any license that may be issued to the corporation and so long thereafter as I/we may be made to answer for any violations of the aforementioned <i>Idaho Code</i> . | | |
| Officer's/Member's Signature _____ | Officer's/Member's Signature _____ | Officer's/Member's Signature _____ |
| Officer's/Member's Signature _____ | Officer's/Member's Signature _____ | Officer's/Member's Signature _____ |

| | |
|--|---|
| STATE OF _____)) §: | _____ Notary Public for the State of Idaho |
| COUNTY OF _____) | |
| On this _____ day of _____, before me, the undersigned, a Notary Public in and for said state, personally appeared _____, known to me or proved to me to be the person(s) who executed the instrument and acknowledged to me that he/she/they executed the same. | |
| IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year the certificate was first above written. | |
| (SEAL) | Residing at _____ My commission expires _____, _____ |

Number _____

Executed pursuant to demand for Security under the Dealer and Salesman Licensing Act, *Chapter 16 Title 49 Idaho Code*.

KNOW ALL MEN BY THESE PRESENTS, that I/we (owner's name) _____ DBA (dealership's name) _____ as Principal, and _____, a corporation duly authorized to transact surety business in the state of Idaho are jointly and severally held and firmly bound unto the state of Idaho to indemnify persons, firms, or corporations for loss suffered by reason of violation of the conditions hereinafter contained.

The amount of this bond is _____ (\$40,000 bond for all wholesale-only dealers, \$20,000 bond for all retail dealers, unless selling only motorcycles, ATVs, UTVs, or snowmobiles for which the bond is \$10,000).

The conditions of this obligation are that:

- The Principal shall not practice any fraud, make any fraudulent representation or violate any of the provisions of *Chapter 16 Title 49 Idaho Code* or rules and regulations promulgated by the Idaho Transportation Department; or the provisions of *Chapters 2, 4 and 5 Title 49 Idaho Code; Idaho Code 49-1418; Chapter 6 Title 48 Idaho Code*; or federal motor vehicle safety standards or odometer fraud during the time said Principal is licensed as a dealer.

- The Surety may terminate this bond in its entirety by giving 30 days written notice by certified mail to the Idaho Transportation Department in Boise, Idaho. A copy of said notice of termination shall be sent by certified mail by the Surety to the Principal hereunder.

In case of such cancellation by the Surety, no further obligation shall be incurred under this bond after the expiration of said 30 days, but the liability of the Surety shall apply as above set out as to any acts or omissions that may have occurred prior to the effective date of such cancellation.

- The aggregate liability of the Surety shall be limited to the amount of this bond, regardless of the number of years this bond shall remain in effect and regardless of the number and amount of claims made thereon.

The above-named Principal may be issued a dealer's license, pursuant to the provisions of the Dealer and Salesman Licensing Act, *Chapter 16 Title 49 Idaho Code*.

IN WITNESS WHEREOF, we have set our hands and seals this _____ day of _____, _____.

| Principal | Surety |
|-----------------------|-----------------------|
| Type or Print Name | Type or Print Name |
| Signature X | Signature X |
| Dealership's Location | Address |
| Idaho Phone Number | Phone Number |

Acknowledgement of Surety

STATE OF _____)
) §:
COUNTY OF _____)

On this _____ day of _____, before me, a Notary Public in and for said county, personally appeared _____, personally known to me, who being personally sworn, did say that (s)he is the duly sworn representative of the _____, a corporation duly organized and existing under the laws of the state of _____, that the seal affixed to the foregoing instrument is the corporate seal of said corporation, that the said instrument was signed, sealed, and executed on behalf of said corporation by authority of its Board of Directors, and further acknowledges that said instrument and the execution thereof be the voluntary act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year last above written.

(SEAL)

Notary Public Signature **X** _____

Residing at _____

My commission expires _____, _____