

Dealers' Licenses Regulations

Regulations Respecting Dealer's Licences, Approved by the Governor in Council pursuant to Sections 32 & 60 of Chapter 293, of the Revised Statutes of Nova Scotia 1989, the *Motor Vehicle Act*.

1 In these regulations

- (a) "motorcycle dealer" means a dealer who deals in new and used motorcycles in the Province;
- (b) "new car dealer" means a dealer who holds a franchise from a manufacturer to sell that manufacturer's new motor vehicles in the Province;
- (c) "qualified mechanic" means a person who is qualified under the Apprenticeship and Trades Qualifications Act and regulations thereunder to do work classified as Motor Vehicle Repair Trade (Mechanical);
- (d) "sub-dealer" means a dealer who has written permission from a new car dealer to sell new motor vehicles in the Province;
- (e) "trailer dealer" means a dealer who deals in new and used trailers and semi-trailers; and
- (f) "used car dealer" means a dealer in used vehicles who does not have a franchise from a manufacturer or written permission from a new car dealer to sell new motor vehicles in the Province.

2 Dealers' licenses shall be issued in the following categories:

- (a) new car dealer's license;
- (b) used car dealer's license;
- (c) sub-dealer's license;
- (d) motorcycle dealer's license;
- (e) trailer dealer's license;
- (f) dealer supplemental license.

3 Every application for a dealer's license or renewal thereof shall be made to the Registrar in such form and shall be accompanied by such additional information and material as the Registrar may from time to time prescribe.

4 The Registrar after due inquiry may refuse to renew or may suspend or revoke a license where the Registrar is of the opinion that

- (a) the dealer has violated any provision of the Motor Vehicle Act or any regulation thereunder or the terms or conditions of the license;
- (b) the dealer has made a false statement in the application for the license or in any of the information or material submitted by the dealer to the Registrar;
- (c) the dealer's vehicle sales transactions have been marked by a practice of failure to perform contracts or by fraud or bad faith;
- (d) the dealer has demonstrated incompetency or untrustworthiness to carry on the business of a dealer;
- (e) the dealer has demonstrated that the financial responsibility or record of past conduct of the dealer is such that it would be in the public interest that terms and conditions be attached to the license, that the license not be renewed or that the license be suspended or revoked;
- (f) the dealer has ceased to have a principal place of business;
- (g) the dealer has knowingly purchased, sold or otherwise acquired or disposed of a stolen motor vehicle, trailer or semi-trailer; or
- (h) a registration certificate issued to the dealer pursuant to the Health Services Tax Act of the Province of Nova Scotia has been cancelled or suspended.

5 It is a term and condition of every dealer's license that the dealer shall comply with all municipal by-laws.

6 Every new car dealer shall provide and maintain at the principal place of business of the new car dealer

- (a) a building or buildings with adequate facilities to service and repair a minimum of two vehicles;
- (b) outside parking for a minimum of ten vehicles; and
- (c) two qualified mechanics during the dealer's normal business hours.

7 Every used car dealer shall provide and maintain at the principal place of business of the used car dealer

- (a) a building or buildings with adequate facilities to service and repair a

minimum of two vehicles;

- (b) outside parking for a minimum of five vehicles; and
- (c) one qualified mechanic available during the dealer's normal business hours.

8 Every sub-dealer shall provide and maintain at the principal place of business of the sub-dealer

- (a) a building or buildings with adequate facilities to service and repair a minimum of two vehicles;
- (b) outside parking for a minimum of five vehicles; and
- (c) one qualified mechanic during the sub-dealer's normal business hours.

9 Every motorcycle dealer shall provide and maintain at the principal place of business of the motorcycle dealer

- (a) a building or buildings with adequate facilities to service and repair a minimum of two motorcycles;
- (b) outside parking for a minimum of five vehicles; and
- (c) one qualified mechanic during the dealer's normal business hours.

10 Every trailer dealer shall provide and maintain at the principal place of business of the trailer dealer adequate facilities to service and repair trailers and semi-trailers.

11 A dealer shall apply for a dealer supplemental license for each place of business of the dealer within a county in addition to the dealer's principal place of business.

12 Every dealer who sells motor vehicles shall keep at each place of business operated by the dealer an air compressor, floor jack, vice, welding equipment and such additional tools as are required to repair all the mechanical and electrical devices of a motor vehicle.

13 Fees for dealers' licenses and other dealer related services shall be the fees provided in the Schedule of Fees determined under Section 302 of the Motor Vehicle Act.