

## **Second-hand Motor Dealer's Licence Conditions**

1. The licenceholder shall ensure that their Second-hand Dealer's Licence certificate (i.e. the first page of this licence) is displayed clearly within their premises so that it can be seen and easily read by members of the public, a police officer, trading standards officer or authorised officer of the Council.
2. This second-hand motor vehicle dealer's licence relates to all second-hand motor vehicles sales and as such therefore includes, motor cycles, motor scooters, mopeds, vans lorries and other commercial vehicles together with caravanette/dormobile type vehicles, i.e. self powered caravans.
3. The licenceholder shall keep or cause to be kept a record of all motor vehicles bought and sold.
4. The record referred to in condition 3 above must be;
  - a). in the form of a properly bound book or loose leaf ledger with consecutively numbered pages and each vehicle purchased by the licenceholder must be given a unique reference number and details thereof entered in the record., or;
  - b). on a device for storing and processing information

If stored on a device for storing and processing information under paragraph b above, the licenceholder shall, by means of that device's or otherwise, keep particulars of all modifications made to the records kept by the device

5. With reference to conditions 3 and 4 above, the record must include the following details:-
  - a) date of purchase
  - b) purchase price
  - c) colour
  - d) make and model of vehicle
  - e) date of first registration
  - f) engine and chassis numbers and registration mark
  - g) name and address of seller and name and address of any previous owner shown on the registration document
  - h) odometer reading both on purchase and on sale
  - i) name and address of purchaser
  - j) date of sale
  - k) sale price
  - l) date of expiry of most recent MOT certificate (if relevant)
6. The records referred to above must be preserved for not less than 3 years.

7. The licenceholder shall not dispose of any item of their stock in trade until the expiry of 48 hours (excluding any time on Saturdays and Sundays) after they acquire it. This shall not apply to any article acquired by the licenceholder in a public auction and disposed of by them without being brought to their place of business. The licensing Authority may order that this provision in Section 25, of the 1982 Act shall not apply to the disposal of licenceholder's stock-in-trade (see note 2).
8. If the licenceholder intends to display for sale/sell any vehicle to a member of the public he must:-
  - a) carry out an inspection and prepare a full inspection report on the vehicle prior to it being displayed for sale/sold and make a copy of the report available for inspection by, prospective buyers while the garage/showroom is open, in accordance with this licence
  - b) display a used vehicle pre-sales information sheet in a prominent position in the vehicle display for sale indicating that the vehicle has been inspected, that a full inspection report is available for examination in the office/showroom and that the purchaser will receive a copy of the report at the time of sale.
  - c) complete all sections of the reports referred to in 8(a) and 8(b) above as appropriate and provide the purchaser with a copy of the full inspection report, which should be signed by both the purchaser and the dealer and dated at the time of sale; and,
  - d) retain one copy of the full inspection report as part of his/her records for not less than 3 years.
9. The licenceholder shall never quote the odometer reading of a used motor vehicle in any advertisements, notices, certificates, etc. unless fully satisfied that the quoted figure is accurate (see note 6).
10. If the licenceholder intends to sell/dispose of any vehicle to another dealer they must:-
  - a) complete a trade sale of vehicle form in the style approved by the Council (see Appendix 4) to be signed by both dealers or a used vehicles sales invoice endorsed "trade sale"; and,
  - b) retain one copy of the trade sale of vehicle form or endorsed vehicle sales invoice, as appropriate, for not less than 3 years.
11. Dealers in motor cycles, motor scooters, mopeds, commercial vehicles and powered caravan type vehicles shall comply as far as possible with the conditions relating to the keeping of records as set out in conditions 5 and 8 above.
12. The licenceholder shall keep all records referred to in conditions 5 & 8 above available for inspection at any reasonable time by any police officer, trading standards officer or authorised officer of the Council.
13. The licenceholder shall store all vehicles purchased in the course of their dealing only on the business premises specified in the licence or on other premises approved by the Council.

14. The licenceholder shall ensure that the premises covered by this licence comply with any fire precaution requirements of the Scottish Fire and Rescue Service.
15. The licenceholder shall notify the Council of any material change of circumstances affecting them or any other person or company named in the licence affecting the activity to which the licence relates, including any convictions recorded against those persons in a court in the United Kingdom.
16. The holder of this licence shall not cause or permit there to be made any material change to the premises to which this licence applies without the prior consent of the Council as licensing Authority.
17. The licenceholder shall not in any way alter, erase or deface their licence.
18. A second-hand motor vehicle dealer who ceases to act as such for the unexpired portion of the licence shall return the licence to the Council within 7 days.
19. This second-hand motor vehicle dealers licence is not transferable and a separate licence is required for all premises operated by the dealer for the sale of second-hand motor vehicles.
20. The licenceholder shall permit any authorised officer of the Council and Trading Standards Officer, any Police Constable or any officer of the Scottish Fire and Rescue Service to inspect the premises at any reasonable time to ensure that the terms of this licence are being complied with.