

Definitions

Motor Vehicle – Any self-propelled vehicle; any vehicle which is propelled by electric power from overhead trolley wires; and any vehicle which is drawn by a self-propelled vehicle, but such term shall not include trailers, semi-trailers, or house trailers as defined in Section 40-12-240.

Motor Vehicle Reconditioner – Any person, firm, or corporation engaged in the business of refurbishing, repairing, or replacing damaged parts of motor vehicles for the purpose of preparing such vehicle for resale under the same identification and identity as the vehicle bore before such refurbishing.

Motor Vehicle Rebuilder – Any person, firm, or corporation engaged in the business of making or causing to be made extensive repairs, replacements, or combination of different motor vehicles to the extent that the finished motor vehicle must be assigned a new identification to be issued by the Alabama Department of Revenue under the provisions of Chapter 8 of Title 32, **Code of Alabama 1975**.

Motor Vehicle Wholesaler – Any person, firm or corporation engaged in the business of buying, selling, or exchanging motor vehicles at wholesale to motor vehicle dealers, as defined in this article and not to the public.

New Motor Vehicle – A motor vehicle, other than a used motor vehicle, the legal title of which has never been transferred by a manufacturer, distributor, or new motor vehicle dealer to an ultimate purchaser.

New Motor Vehicle Dealer – Any person, firm, or corporation which holds a bona fide contract or franchise in this state in effect with a manufacturer or distributor of new motor vehicles and is engaged in the business of selling, advertising, or negotiating the sale of new motor vehicles or new and used motor vehicles. Such duly licensed new motor vehicle dealers shall be the sole and only persons, firms, or corporations entitled (other than in connection with the rental or leasing of new motor vehicles by persons engaged in the business of motor vehicle rental and leasing) to sell and publicly or otherwise solicit and advertise for sale new motor vehicles as such.

Permanent Location – A building or structure from which sales of motor vehicles are conducted. A house used as a residence by the business owner, a partner, or a corporate officer from which sales of motor vehicles are conducted may also be a permanent location. The building or structure must be owned, rented, or leased and must be used as an office and a place to receive mail, keep records, and conduct routine business, to include an operable telephone listed with the telephone company under the name of the licensed business.

Used Motor Vehicle Dealer – Any person, firm, or corporation engaged in the business of buying, selling, exchanging, advertising, or negotiating the sale of five or more motor vehicles at retail during a calendar year, whether or not such motor vehicles are owned by such person, firm, or corporation, or in offering or displaying motor vehicles for sale at retail to the public. The term “selling” or “sale” shall include lease-purchase transactions. The term “used motor vehicle dealer” does not include banks and finance companies which acquire motor vehicles as an incident to their regular business and does not include motor vehicle rental and leasing companies.

Ultimate Purchaser – With respect to a new motor vehicle, the first person, firm, or corporation, other than a new motor vehicle dealer, who in good faith purchases such new motor vehicle for purposes other than resale. Ultimate purchaser shall not include a person, firm or corporation who purchases a vehicle for purposes of altering or remanufacturing the motor vehicle for future resale.