

§9021. Licenses

The board shall adopt rules governing qualifications for each category of license under its jurisdiction. [PL 1993, c. 642, §22 (NEW).]

1. Licenses required. Any person who engages in the business of manufacturing, brokering, distributing, selling, installing or servicing manufactured housing, regardless of the destination of the housing, must first obtain a license issued by the board. The board shall, within a reasonable time, issue a license to any person who intends to manufacture, sell, install or service manufactured housing in this State subject to filing and approval of an application. Any person who is licensed to conduct these activities by other state or federal law is exempt from this requirement when the law provides for specific authority to provide a particular service or preempts the requirement for such a license. Active licensees of the Real Estate Commission are exempt from the licensing requirement for selling or brokering used manufactured housing and new manufactured housing if such housing is sold or offered for sale by a licensee of the board.

[PL 2017, c. 210, Pt. B, §14 (AMD).]

1-A. Initial training. All licensees and applicants for licensure must obtain initial training, including, but not limited to, the servicing and installation of manufactured housing. Applicants for initial licensure must complete the training before the board approves the application for licensure.

[PL 2007, c. 402, Pt. D, §7 (AMD).]

2. License fees.

[PL 2007, c. 402, Pt. D, §7 (RP).]

2-A. Fees. The Director of the Office of Professional and Occupational Regulation within the Department of Professional and Financial Regulation may establish by rule fees for purposes authorized under this chapter in amounts that are reasonable and necessary for their respective purposes. The license fee to operate a manufactured housing community pursuant to subchapter 6 may not exceed a base fee of \$60 plus an additional amount of up to \$6 per manufactured home site. This fee must accompany each license application, including applications for manufactured housing community expansion and license renewal. The review and evaluation fees authorized by section 9083 may not exceed the actual cost of the review or evaluation. The fee for any inspection authorized by this chapter may not exceed the actual cost of the inspection. The fee for each warranty seal required by section 9006-C, subsections 1 and 2 and each new dwelling unit required by section 9045 may not exceed \$200. The fee for any other purpose authorized by this chapter may not exceed \$200 annually. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

[PL 2017, c. 210, Pt. B, §15 (AMD).]

3. License term. A license expires on the date set by the Commissioner of Professional and Financial Regulation pursuant to section 8003, subsection 4 for the licensing period for which the license was issued. A license may be renewed upon receipt of an application for renewal and the payment of the renewal fee as set pursuant to subsection 2-A. A license may be renewed up to 90 calendar days after the date of expiration upon payment of a late fee in addition to the renewal fee. An applicant who submits an application for renewal more than 90 calendar days after the expiration date is subject to all requirements governing new applicants under this chapter.

[PL 2009, c. 241, Pt. A, §5 (AMD).]

4. Renewals. A license may be renewed up to 90 days after the date of its expiration upon payment of a late fee in addition to the renewal fee as set under subsection 2-A. If any licensee fails to renew within 90 days after expiration, that licensee is required to make a new application.

[PL 2007, c. 402, Pt. D, §7 (AMD).]

5. Renewals.

[PL 1981, c. 152, §13 (RP).]

6. Financial responsibility. The board may require bonding or other reasonable methods to ensure that manufacturers, dealers, developer dealers and others licensed under this chapter are financially responsible to fully comply with this chapter.

[PL 2005, c. 344, §15 (AMD).]

7. Service of process.

[PL 2013, c. 217, Pt. B, §3 (RP).]

8. Licensing penalties.

[PL 2007, c. 402, Pt. D, §7 (RP).]

8-A. Denial or refusal to renew license; disciplinary action. In addition to the grounds enumerated in section 8003, subsection 5-A, paragraph A, the board may deny a license, refuse to renew a license or impose the disciplinary sanctions authorized by section 8003, subsection 5-A for any of the following reasons:

A. Accepting manufactured housing, directly or indirectly, from a manufacturer not licensed by the State pursuant to this chapter; [PL 2007, c. 402, Pt. D, §7 (NEW).]

B. Selling or delivering, directly or indirectly, manufactured housing to a dealer or developer dealer not licensed by the State pursuant to this chapter; or [PL 2007, c. 402, Pt. D, §7 (NEW).]

C. Violation of any of the provisions of chapter 213. [PL 2007, c. 402, Pt. D, §7 (NEW).]
[PL 2021, c. 676, Pt. A, §21 (AMD).]

9. Proof of sales tax registration. The board shall require that an applicant for a manufacturer, dealer or developer dealer license under this subchapter demonstrate that the applicant is registered with the State Tax Assessor for the collection of sales and use tax under Title 36, chapter 211 or that the applicant is not required to register under that chapter.

[PL 2005, c. 344, §17 (AMD).]

10. License by endorsement. Notwithstanding any provision of this chapter to the contrary, the board, in accordance with section 8003-H and any applicable rules adopted pursuant to that section, shall establish a process to issue a license by endorsement for each license authorized under this chapter that the board determines is appropriate for licensure by endorsement. An applicant may submit an application under the process established under this subsection or any other licensure process authorized in this chapter.

[PL 2021, c. 642, §4 (NEW).]

SECTION HISTORY

PL 1977, c. 550, §1 (NEW). PL 1979, c. 302, §§1,2 (AMD). PL 1981, c. 152, §13 (RPR). PL 1983, c. 553, §15 (AMD). PL 1991, c. 391, §§2-4 (AMD). PL 1993, c. 642, §§22-25 (AMD). PL 1999, c. 386, §§C1,2 (AMD). PL 2001, c. 281, §2 (AMD). PL 2005, c. 344, §§12-17 (AMD). PL 2007, c. 402, Pt. D, §7 (AMD). PL 2009, c. 241, Pt. A, §§4, 5 (AMD). PL 2011, c. 286, Pt. B, §5 (REV). PL 2013, c. 217, Pt. B, §3 (AMD). PL 2017, c. 210, Pt. B, §§14, 15 (AMD). PL 2021, c. 642, §4 (AMD). PL 2021, c. 676, Pt. A, §21 (AMD).

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