



April 4, 2024

RE: Non-motorized trailers

Dear County Clerks:

The Motor Vehicle Commission has recently received inquiries regarding whether a company engaged in the business of selling non-motorized semitruck trailers must obtain a motor vehicle dealer license to advertise and complete such sales. The purpose of this memorandum is to inform you there is no requirement that non-motorized semitruck trailers be sold by a licensed motor vehicle dealer because a non-motorized semitruck trailer is not a "motor vehicle" under Tennessee law.

Pursuant to Tenn. Code Ann. § 55-17-109(a)(1), no person may engage in business as a motor vehicle dealer without first obtaining a license from the Motor Vehicle Commission. Per Tenn. Code Ann. § 55-17-102(15), a "motor vehicle dealer" is any person engaged in the business of selling motor vehicles. Under Tenn. Code Ann. § 55-17-102(14), a "motor vehicle" is a "self-propelled motor-driven vehicle." Accordingly, by definition, a non-motorized semitruck trailer is not a motor vehicle. Thus, it is not required that a non-motorized semitruck trailer be sold by a licensed motor vehicle dealer.

However, if a person is engaged in the business of selling non-motorized trailers that meet the definition of "recreational vehicle," then a recreational vehicle dealer license would be required pursuant to Tenn. Code Ann. § 55-17-403(a). Under Tenn. Code Ann. § 55-28-102(13), a recreational vehicle is any vehicle that is either self-propelled or towed by a consumer-owned tow vehicle, and which is designed to provide temporary living quarters for recreational, camping, or travel use. Examples of recreational vehicles include motor homes, travel trailers, fifth wheel travel trailers, and folding camping trailers. The definitions of each of these types of recreational vehicles may be found in Tenn. Code Ann. § 55-28-102.

Consumers do have a path for registration and obtaining a tag via their county clerk's office and the Department of Revenue. See below:

<https://www.tn.gov/revenue/title-and-registration/vehicle-registration/off-highway-vehicles.html>

Thank you for your attention to this matter.

*Denise Lawrence*  
*Executive Director*

*Tennessee Motor Vehicle Commission*