



ACCOUNT #	Submitted by Rep #
<small>Office Use Only</small>	<small>Office Use Only</small>



CORPORATE OFFICE: 601 E. GOWEN RD, BOISE, ID 83716 ~ WAREHOUSES: CALIFORNIA, IDAHO, INDIANA, PENNSYLVANIA, TENNESSEE, TEXAS

PHONE: 1-877-359-2946 ~ DEALER ACCOUNTS FAX: 208-319-3048 ~ ALTERNATE FAX: 800-326-3813

Completed Dealer Applications can be emailed to dealeraccounts@wps-inc.com

NEW DEALER APPLICATION

Must be filled out completely and legibly. Incomplete, illegible, or missing required information will delay set-up.

We appreciate your interest in FLY Racing, a division of WPS. We feel we have the finest quality and selection of products, along with the best call center and shipping service available to meet your business needs.

Western Power Sports is a wholesale distributor that sells only to approved retailers. To protect our dealers, it is necessary to carefully screen each new application before an approval can be made. In order to expedite your application, please fill out the following information completely and include all requested documentation. This information helps us make sure that we are not selling to someone who is really your retail customer.

DATE _____ BUSINESS NAME _____

DBA _____

E-mail _____ Please mark if you wish to receive notification of your account set-up via e-mail

Website _____ Please mark if required photos (outlined below) are available on website or Facebook

SHIPPING ADDRESS

MAILING ADDRESS

City _____ State _____ Zip _____

City _____ State _____ Zip _____

Phone (Shop) # _____ Fax # _____ Office # _____

REQUIRED DOCUMENTS:

Photographs of (please submit at least one (1) photo in each category):

- Storefront on commercial property
- Store Sign
- Parts Counter
- Inside of store, including display area for accessory items

If required photos are available on your website or Facebook, please provide link here: _____

Relevant advertising in local media with published dates OR a valid website with sufficient relevant advertisement

Please fill out the information below and provide COPY of a Resale / Sales Tax Exemption Certificate* for all shipping locations.

Resellers Permit # _____ Expiration Date _____
(If applicable in your state)

Federal Tax ID # _____

If selling to California Residents, must provide a COPY of a California's Sellers Permit AND a California Certificate of Registration-Use Tax (Due to the State of California's tax code)

ORDERING INFORMATION:

PURCHASE ORDER # REQUIRED: Yes No

AUTHORIZED PURCHASERS: Any Employee Restricted to the following employees: _____



NEW DEALER APPLICATION (Cont'd)



COMPLETED DEALER APPLICATIONS MAY BE FAXED OR EMAILED TO THE DEALER ACCOUNTS DEPARTMENT

DEALER ACCOUNTS FAX: **208-319-3048**

EMAIL: **DEALERACCOUNTS@WPS-INC.COM**

BUSINESS INFORMATION:

BUSINESS TYPE: Sole Proprietorship Partnership Corporation

Owner(s) Name: _____ Owner(s) Name: _____

Home # _____ Cell # _____

Parts Manager: _____ Email: _____

Accounting Manager: _____ Email: _____

Please select which type of correspondence to receive: Invoices Order Confirmation Shipping

Years in Business: _____ Store Hours: _____

BUSINESS DESCRIPTION & PERCENTAGE OF BUSINESS IN : (mark all that apply)

BMX _____ % MTB _____ % ROAD _____ %

CURRENT VENDORS : (circle all that apply)

QBP J&B BTI Hawley KHS Specialized Giant GT Trek Raleigh Felt

- New Accounts:** Orders are normally shipped Credit Card. Open account status may be applied for by well-rated firms. To establish an open account, request a credit application when placing an order. Please allow up to 30 days for processing the credit application. WPS reserves the right to reject any application.
- Credit Terms:** Open account terms are subject to approval and will be billed out on a Net 10 Prox. schedule. The billing cycle is from the 25th to the 24th of each month, with a payment due the following 10th of the month. Past due accounts will incur a 1.5% monthly interest fee. Accounts that are lapsing into 60 days past due may lose account terms or default to a credit card account. All merchandise purchased on an open account from Western Power Sports, Inc. (WPS), remains the property of WPS until the account is paid in full. Payment chargebacks, for any reason, are subject to a \$25.00 fee. If a customer does not qualify for open account terms, the default purchase method will be with a credit/debit card or ACH
- Freight Policy:** We pay freight on orders totaling \$300 or more in qualified merchandise (Continental USA only) and reserve the right to choose method of shipping.
- Toll Free Ordering:** The Call Center is available from 6:45 AM to 6:30 PM (MST) / 8:45 AM to 8:30 PM (EST) by calling 1-800-999-3388 or faxing 1-800-326-3813.
- Minimum Orders:** All orders totaling less than \$30 dealer cost are automatically charged a \$5 small order fee to cover processing costs.

All other Terms and Conditions can be found at the back of each Western Power Sports catalog.

I hereby confirm that all information on both pages 1 and 2 is accurate and complete to the best of my knowledge. I also understand that Western Power Sports reserves the right to deny this application.

By signing this Dealer Application electronically, I agree that my electronic signature is a legally binding equivalent to my handwritten signature. The electronic signature has the same validity and meaning as my hand signature. i will not, at anytime in the future, repudiate the meaning of my electronic signature or claim that my electronic signature is not legally binding.

Owner / Authorized Signature

Print Name

Title

Date

UNIFORM SALES & USE TAX CERTIFICATE—MULTIJURISDICTION

The below-listed states have indicated that this form of certificate is acceptable, subject to the notes on pages 2-4. The issuer and the recipient have the responsibility of determining the proper use of this certificate under applicable laws in each state, as these may change from time to time.

Issued to Seller: Western Power Sports

Address: 601 E. Gowen Rd, Boise, ID 83716

I certify that:

Name of Firm (Buyer): _____

Address: _____

is engaged as a registered

Wholesaler

Retailer

Manufacturer

Seller (California)

Lessor (see notes on pages 2-4)

Other (Specify) _____

and is registered with the below listed states and cities within which your firm would deliver purchases to us and that any such purchases are for wholesale, resale, ingredients or components of a new product or service¹ to be resold, leased, or rented in the normal course of business. We are in the business of wholesaling, retailing, manufacturing, leasing (renting) the following:

Description of Business: _____

General description of tangible property or taxable services to be purchased from the seller: _____

State	State Registration, Seller's Permit, or ID Number of Purchaser	State	State Registration, Seller's Permit, or ID Number of Purchaser
AL ¹	_____	MO ¹⁶	_____
AR	_____	NE ¹⁷	_____
AZ ²	_____	NV	_____
CA ³	_____	NJ	_____
CO ⁴	_____	NM ^{4,18}	_____
CT ⁵	_____	NC ¹⁹	_____
DC ⁶	_____	ND	_____
FL ⁷	_____	OH ²⁰	_____
GA ⁸	_____	OK ²¹	_____
HI ^{4,9}	_____	PA ²²	_____
ID	_____	RI ²³	_____
IL ^{4,10}	_____	SC	_____
IA	_____	SD ²⁴	_____
KS	_____	TN	_____
KY ¹¹	_____	TX ²⁵	_____
ME ¹²	_____	UT	_____
MD ¹³	_____	VT	_____
MI ¹⁴	_____	WA ²⁶	_____
MN ¹⁵	_____	WI ²⁷	_____

I further certify that if any property or service so purchased tax free is used or consumed by the firm as to make it subject to a Sales or use Tax we will pay the tax due directly to the proper taxing authority when state law so provides or inform the seller for added tax billing. This certificate shall be a part of each order which we may hereafter give to you, unless otherwise specified, and shall be valid until canceled by us in writing or revoked by the city or state.

Under penalties of perjury, I swear or affirm that the information on this form is true and correct as to every material matter.

Authorized Signature: _____
(Owner, Partner or Corporate Officer)

Title: _____

Date: _____

INSTRUCTIONS REGARDING UNIFORM SALES & USE TAX CERTIFICATE

To Seller's Customers:

In order to comply with the majority of state and local sales tax law requirements, the seller must have in its files a properly executed exemption certificate from all of its customers who claim a sales tax exemption. If the seller does not have this certificate, it is obliged to collect the tax for the state in which the property or service is delivered.

If the buyer is entitled to sales tax exemption, the buyer should complete the certificate and send it to the seller at its earliest convenience. If the buyer purchases tax free for a reason for which this form does not provide, the buyer should send the seller its special certificate or statement.

Caution to Seller:

In order for the certificate to be accepted in good faith by the seller, seller must exercise care that the property or service being sold is of a type normally sold wholesale, resold, leased, rented or incorporated as a ingredient or component part of a product manufactured by buyer and then resold in the usual course of its business. A seller failing to exercise due care could be held liable for the sales tax due in some states or cities. Misuse of this certificate by seller, lessee, or the representative thereof may be punishable by fine, imprisonment or loss of right to issue certificate in some states or cities.

Notes:

1. Alabama: Each retailer shall be responsible for determining the validity of a purchaser's claim for exemption.
2. Arizona: This certificate may be used only when making purchases of tangible personal property for resale in the ordinary course of business, and not for any other statutory deduction or exemption. It is valid as a resale certificate only if it contains the purchaser's name, address, signature, and Arizona transaction privilege tax (or other state sales tax) license number, as required by Arizona Revised Statutes § 42-5022, *Burden of proving sales not at retail*.
3. California:
 - A. This certificate is not valid as an exemption certificate. Its use is limited to use as a resale certificate subject to the provisions of Title 18, California Code of Regulations, Section 1668 (Sales and Use Tax Regulation 1668, Resale Certificate).
 - B. By use of this certificate, the purchaser certifies that the property is purchased for resale in the regular course of business in the form of tangible personal property, which includes property incorporated as an ingredient or component part of an item manufactured for resale in the regular course of business.
 - C. When the applicable tax would be sales tax, it is the seller who owes that tax unless the seller takes a timely and valid resale certificate in good faith.
 - D. A valid resale certificate is effective until the issuer revokes the certificate.
4. The state of Colorado, Hawaii, Illinois, and New Mexico do not permit the use of this certificate to claim a resale exemption for the purchase of a taxable service for resale.
5. Connecticut: This certificate is not valid as an exemption certificate. Its use is limited to use as a resale certificate subject to Conn. Gen. State §§12-410(5) and 12-411(14) and an regulations and administrative pronouncements pertaining to resale certificates.
6. District of Columbia: This certificate is not valid as an exemption certificate. It is not valid as a resale certificate unless it contains the purchaser's D.C. sales and use tax registration number.
7. Florida: The Department of Revenue no longer accepts out-of-state sales tax exemption certificates.
8. Georgia: the purchaser's state of registration number will be accepted in lieu of Georgia's registration number when the purchaser is located outside Georgia, does not have nexus with Georgia, and the tangible personal property is delivered by drop shipment to the purchaser's customer located in Georgia.
9. Hawaii allows this certificate to be used by the seller to claim a lower general excise tax rate or no general excise tax, rather than the buyer claiming an exemption. The no tax situation occurs when the purchaser of imported goods certifies to the seller, who originally imported the goods into Hawaii, that the purchaser will resell the imported goods at wholesale. If the lower rate

or no tax does not in fact apply to the sale, the purchaser is liable to pay the seller the additional tax imposed. See Hawaii Dept. of Taxation Tax Information Release No. 93-5, November 10, 1993, and Tax Information Release No. 98-8, October 30, 1998.

10. Use of this certificate in Illinois is subject to the provisions of 86 Ill. Adm. Code Ch.I, Sec. 130.1405. Illinois does not have an exemption on sales of property for subsequent lease or rental, nor does the use of this certificate for claiming resale purchases of services have any application in Illinois.

The registration number to be supplied next to Illinois on page 1 of this certificate must be the Illinois registration or resale number; no other state's registration number is acceptable.

"Good faith" is not the standard of care to be exercised by a retailer in Illinois. A retailer in Illinois is not required to determine if the purchaser actually intends to resell the item. Instead, a retailer must confirm that the purchaser has a valid registration or resale number at the time of purchase. If a purchaser fails to provide a certificate of resale at the time of sale in Illinois, the seller must charge the purchaser tax.

While there is no statutory requirement that blanket certificates of resale be renewed at certain intervals, blanket certificates should be updated periodically, and no less frequently than every three years.

11. Kentucky: 1. Kentucky does not permit the use of this certificate to claim a resale exclusion for the purchase of a taxable service.
2. This certificate is not valid as an exemption certificate. Its use is limited to use as a resale certificate subject to the provisions of Kentucky Revised Statute 139.270 (Good Faith).
3. The use of this certificate by the purchaser constitutes the issuance of a blanket certificate in accordance with Kentucky Administrative Regulation 103 KAR 31:111.
12. Maine does not have an exemption on sales of property for subsequent lease or rental.
13. Maryland: This certificate is not valid as an exemption certificate. However, vendors may accept resale certificates that bear the exemption number issued to a religious organization. Exemption certifications issued to religious organizations consist of 8 digits, the first two of which are always "29". Maryland registration, exemption and direct pay numbers may be verified on the website of the Comptroller of the Treasury at www.marylandtaxes.com.
14. Michigan: Effective for a period of four years unless a lesser period is mutually agreed to and stated on this certificate. Covers all exempt transfers when accepted by the seller in "good faith" as defined by Michigan statute.
15. Minnesota: A. Does not allow a resale certificate for purchases of taxable services for resale in most situations.
B. Allows an exemption for items used only once during production and not used again.
16. Missouri: A. Purchases who improperly purchase property or services sales tax free using this certificate may be required to pay the tax, interest, additions to tax or penalty.
B. Even if property is delivered outside Missouri, facts and circumstances may subject it to Missouri tax, contrary to the second sentence of the first paragraph of the above instructions.
17. Nebraska: A blanket certificate is valid 3 years from the date of issuance.
18. New Mexico: For transactions occurring on or after July 1, 1998, New Mexico will accept this certificate in lieu of a New Mexico nontaxable transaction certificate and as evidence of the deductibility of a sale tangible personal property provided:
a) this certificate was not issued by the State of New Mexico;
b) the buyer is not required to be registered in New Mexico; and
c) the buyer is purchasing tangible personal property for resale or incorporations as an ingredient or component part into a manufactured product.
19. North Carolina: This certificate is not valid as an exemption certificate or if signed by a person such as a contractor who intends to use the property. Its use is subject to G.S. 105-164.28 and any administrative rules or directives pertaining to resale certificates.
20. Ohio: A. The buyer must specify which one of the reasons for exemption on the certificate applies. This may be done by circling or underlining the appropriate reason or writing it on the form above the state registration section. Failure to specify the exemption reason will, on audit, result in disallowance of the certificate.

B. In order to be valid, the buyer must sign and deliver the certificate to the seller before or during the period for filing the return.

21. Oklahoma would allow this certificate in lieu of a copy of the purchaser's sales tax permit as one of the elements of "properly completed documents" which is one of the three requirements which must be met prior to the vendor being relieved of liability. The other two requirements are that the vendor must have the certificate in his possession at the time the sale is made and must accept the documentation in good faith. The specific documentation required under OAC 710-65-7-6 is:

- A) Sales tax permit information may consist of:
 - (i) A copy of the purchaser's sales tax permit; or
 - (ii) In lieu of a copy of the permit, obtain the following:
 - (I) Sales tax permit number; and
 - (II) The name and address of the purchaser;
- B) A statement that the purchaser is engaged in the business of reselling the articles purchased;
- C) A statement that the articles purchased are purchased for resale;
- D) The signature of the purchaser or a person authorized to legally bind the purchaser; and
- E) Certification on the face of the invoice, bill or sales slip or on separate letter that said purchaser is engaged in reselling the articles purchased.

Absent strict compliance with these requirements, Oklahoma holds a seller liable for sales tax due on sales where the claimed exemption is found to be invalid, for whatever reason, unless the Tax Commission determines that purchaser should be pursued for collection of the tax resulting from improper presentation of a certificate.

22. Pennsylvania: This certificate is not valid as an exemption certificate. It is valid as a resale certificate only if it contains the purchaser's Pennsylvania Sales and Use Tax eight-digit license number, subject to the provisions of 61 PA Code §32.3.
23. Rhode Island allows this certificate to be used to claim a resale exemption only when the item will be resold in the same form. They do not permit this certificate to be used to claim any other type of exemption.
24. South Dakota: Services which are purchased by a service provider and delivered to a current customer in conjunction with the services contracted to be provided to the customer are claimed to be for resale. Receipts from the sale of a service for resale by the purchaser are not subject to sales tax if the purchaser furnishes a resale certificate which the seller accepts in good faith. In order for the transaction to be a sale for resale, the following conditions must be present:
- (1) The service is purchased for or on behalf of a current customer;
 - (2) The purchaser of the service does not use the service in any manner; and
 - (3) The service is delivered or resold to the customer without any alteration or change.
25. Texas: Items purchased for resale must be for resale within the geographical limits of the United States, its territories and possessions.
26. Washington: A. Blanket resale certificates must be renewed at intervals not to exceed four years;
B. This certificate may be used to document exempt sales of "chemicals to be used in processing an article to be produced for sale."
C. Buyer acknowledges that the misuse of the tax due, in addition to the tax, interest, and any other penalties imposed by law.
27. Wisconsin allows this certificate to be used to claim a resale exemption only. It does not permit this certificate to be used to claim any other type of exemption.