

<p style="text-align: center;"><b>Title 23</b></p>	<p style="text-align: center;"><b>Title 9</b>            Vermont’s Motor Vehicle Manufacturers, Distributors, and Dealers Franchising Practices Act             (9 V.S.A. §§ 4083-4100f, available here:  <a href="https://legislature.vermont.gov/statutes/fullchapter/09/108">https://legislature.vermont.gov/statutes/fullchapter/09/108</a>)</p>
<p>23 V.S.A. § 4(8):</p> <p style="padding-left: 40px;">(8)(A)(i) “Dealer” means a person, partnership, corporation, or other entity engaged in the business of selling or exchanging new or used motor vehicles, snowmobiles, motorboats, or all-terrain vehicles. A dealer may, as part of or incidental to such business, repair such vehicles or motorboats, sell parts and accessories, or lease or rent such vehicles or motorboats. “Dealer” shall not include a finance or auction dealer or a transporter.</p> <p style="padding-left: 40px;">(ii)(I) For a dealer in new or used cars or motor trucks, "engaged in the business" means having sold or exchanged at least 12 cars or motor trucks, or a combination thereof, in the immediately preceding year, or 24 in the two immediately preceding years.</p> <p style="text-align: center;">* * *</p>	<p>9 V.S.A. § 4085(13):</p> <p style="padding-left: 40px;">(13) “New motor vehicle dealer” means any person engaged in the business of selling, offering to sell, soliciting, or advertising the sale of new motor vehicles and who holds, or held at the time a cause of action under this chapter accrued, a valid sales and service agreement, franchise, or contract, granted by the manufacturer or distributor for the retail sale of said manufacturer’s or distributor’s new motor vehicles.</p>
	<p>9 V.S.A. § 4085(10)–(12)</p> <p style="padding-left: 40px;">(10)(A) “Manufacturer” means any person, resident, or nonresident who manufactures or assembles new motor vehicles, or imports for distribution through distributors of motor vehicles, or any partnership, firm, association, joint venture, corporation, or trust, resident or nonresident, which is controlled by the manufacturer.</p>

	<p style="text-align: center;">* * *</p> <p>(11) “Motor vehicle” means every vehicle intended primarily for use and operation on the public highways which is self-propelled, not including farm tractors and other machines and tools used in the production, harvesting, and care of farm products.</p> <p>(12) “New motor vehicle” means a vehicle which has been sold to a new motor vehicle dealer and which has not been used for other than demonstration purposes and on which the original title has not been issued from the new motor vehicle dealer.</p>
	<p>9 V.S.A. § 4097(8)</p> <p>It shall be a violation of this chapter for any manufacturer defined under this chapter:</p> <p style="text-align: center;">* * *</p> <p>(8) To compete with a new motor vehicle dealer in the same line-make operating under an agreement or franchise from the aforementioned manufacturer in the relevant market area. A manufacturer shall not, however, be deemed to be competing when operating a dealership either temporarily for a reasonable period, or in a bona fide retail operation which is for sale to any qualified independent person at a fair and reasonable price, or in a bona fide relationship in which an independent person has made a significant investment subject to loss in the dealership and can reasonably expect to acquire full ownership of the dealership on reasonable terms and conditions.</p>

23 V.S.A. § 450a. DEALER REGISTRATION; ELIGIBILITY

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(c) In addition to the requirements of subsections (a) and (b) of this section, a person shall not be eligible to register as a dealer in cars or motor trucks unless the person is open for business at least 146 days during the calendar year. The applicant shall provide the Commissioner with the hours of operation of the business which the person shall maintain during the registration period at the time of the application.

9 V.S.A. § 4086. WARRANTY AND PREDELIVERY OBLIGATIONS TO NEW MOTOR VEHICLE DEALERS

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(i) It is unlawful for a franchisor, manufacturer, factory branch, distributor branch, or subsidiary to own, operate, or control, either directly or indirectly, a motor vehicle warranty or service facility located in the State except on an emergency or interim basis or if no qualified applicant has applied for appointment as a dealer in a market previously served by a new motor vehicle dealer of that manufacturer's line-make.