

<b>Sec. 4 (S.47 APBS) Effective on Passage</b>	<b>Sec. 4 (S.47 House Proposal of Amendment) Effective on Passage</b>	<b>Sec. 4a (S.47 House Proposal of Amendment) Effective on July 1, 2022</b>
<p>Sec. 4. 9 V.S.A. § 4097 is amended to read:</p> <p>§ 4097. MANUFACTURER VIOLATIONS</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)(A) To compete with a new motor vehicle dealer <del>in the same line make</del> operating under an agreement or franchise from the aforementioned manufacturer <del>in the relevant market area in the State.</del></p> <p>(B) For purposes of this subdivision (8), any manufacturer that is not a non-franchised zero-emission vehicle manufacturer, competes with a new motor vehicle dealer if it engages in the business of any of the following with respect to new motor vehicles <u>or the retail sale of parts and accessories for those new motor vehicles:</u></p> <p>(i) <u>selling or leasing;</u></p> <p>(ii) <u>offering to sell or lease;</u></p> <p>(iii) <u>soliciting or advertising the sale or lease; or</u></p> <p>(iv) <u>offering through a subscription or like agreement.</u></p>	<p>Sec. 4. 9 V.S.A. § 4097 is amended to read:</p> <p>§ 4097. MANUFACTURER VIOLATIONS</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)(A) To compete with a new motor vehicle dealer <del>in the same line make</del> operating under an agreement or franchise from the aforementioned manufacturer <del>in the relevant market area in the State.</del></p> <p>(B) For purposes of this subdivision (8), any manufacturer that is not a non-franchised zero-emission vehicle manufacturer competes with a new motor vehicle dealer if it engages in the business of any of the following with respect to new motor vehicles _____:</p> <p>(i) <u>selling or leasing;</u></p> <p>(ii) <u>offering to sell or lease; or</u></p> <p>(iii) <u>soliciting or advertising the sale or lease.</u></p> <p>_____</p> <p>_____</p>	<p>Sec. 4a. 9 V.S.A. § 4097(8) is amended to read:</p> <p>(8)(A) To compete with a new motor vehicle dealer _____ operating under an agreement or franchise from the aforementioned manufacturer _____ in the State.</p> <p>(B) For purposes of this subdivision (8), any manufacturer that is not a non-franchised zero-emission vehicle manufacturer competes with a new motor vehicle dealer if it engages in the business of any of the following with respect to new motor vehicles <u>or the retail sale of parts and accessories for those new motor vehicles:</u></p> <p>(i) <u>selling or leasing;</u></p> <p>(ii) <u>offering to sell or lease; or</u></p> <p>(iii) <u>soliciting or advertising the sale or lease; or</u></p> <p>(iv) <u>offering through a subscription or like agreement.</u></p>

<p>(C) 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 that 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> <p>* * *</p>	<p>(C) 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 that 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> <p>* * *</p>	<p>* * *</p>
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