

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding a section numbered 46.2-1993.67:2, relating to the*  
3 *repurchase of motorcycles, parts, and equipment to franchised motorcycle dealers by manufacturers.*

4 [S 112]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That the Code of Virginia is amended by adding a section numbered 46.2-1993.67:2 as follows:**8 *§ 46.2-1993.67:2. Repurchase of vehicles, parts, and equipment in the event of involuntary*  
9 *discontinuation, cancellation, or nonrenewal of franchise agreement.*10 *A. In the event of any involuntary discontinuation, cancellation, or nonrenewal of a franchise*  
11 *agreement, the manufacturer or distributor shall, within 60 days from the effective date of the*  
12 *discontinuation, cancellation, or nonrenewal of a franchise agreement, repurchase at the price equal to*  
13 *the amount paid therefor by the motorcycle dealer, less all incentives and allowances received by the*  
14 *dealer (i) all new, unused, undamaged, and unaltered motorcycles, all-terrain vehicles, or off-road*  
15 *motorcycles of the current or previous model year that the manufacturer or distributor sold to the*  
16 *dealer, and (ii) any other such motorcycle, all-terrain vehicle, or off-road motorcycle that it sold to the*  
17 *dealer not more than 180 days prior to the notice of termination. The foregoing provisions of this*  
18 *subsection shall apply only if the dealer transfers to the manufacturer or distributor full right and legal*  
19 *title to the motorcycle, all-terrain vehicles, and off-road motorcycles prior to their repurchase.*20 *B. In the event of any involuntary discontinuation, cancellation, or nonrenewal of a franchise*  
21 *agreement, the manufacturer or distributor shall, if so requested by the dealer within the same 60-day*  
22 *period, also repurchase all genuine new and unused motorcycle, all-terrain vehicle, and off-road*  
23 *motorcycle parts and accessories that the manufacturer or distributor sold to the dealer so long as such*  
24 *parts and accessories are undamaged, in their original packaging, and listed in the current parts and*  
25 *accessories price list of the manufacturer or distributor. Such parts and accessories shall be*  
26 *repurchased at a price equal to the wholesale price stated in the current parts and accessories price list*  
27 *of the manufacturer or distributor, less all incentives and allowances received by the dealer and without*  
28 *reduction for such repurchase or for processing or handling the repurchase. The foregoing provisions of*  
29 *this subsection shall apply only if the dealer transfers to the manufacturer or distributor full right and*  
30 *legal title to the parts and accessories prior to their repurchase.*31 *C. In the event of any involuntary discontinuation, cancellation, or nonrenewal of a franchise*  
32 *agreement, the manufacturer or distributor shall, if so requested by the dealer within the same 60-day*  
33 *period, repurchase the new and used equipment that the manufacturer or distributor sold to the dealer*  
34 *at its then fair market value, including, but not limited to, signs, special tools, and manuals that the*  
35 *manufacturer or distributor required the dealer to purchase. The foregoing provisions of this subsection*  
36 *shall apply only if the dealer transfers to the manufacturer or distributor full right and legal title to the*  
37 *equipment prior to their repurchase.*

ENROLLED

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