

CHAPTER 427

An Act to amend and reenact § 46.2-1572.1 of the Code of Virginia, relating to ownership of service facilities.

[H 747]

Approved March 11, 2016

Be it enacted by the General Assembly of Virginia:

1. That § 46.2-1572.1 of the Code of Virginia is amended and reenacted as follows:

§ 46.2-1572.1. Ownership of service facilities.

A. It shall be unlawful for any motor vehicle manufacturer, factory branch, distributor, distributor branch, or subsidiary thereof, to own, operate, or control, either directly or indirectly, any motor vehicle warranty or service facility located in the Commonwealth. Nothing in this section shall prohibit any motor vehicle manufacturer, factory branch, distributor, distributor branch, or subsidiary thereof, from owning, operating, or controlling any warranty or service facility for warranty or service of motor vehicles owned or operated by the manufacturer, factory branch, distributor, distributor branch, or subsidiary thereof. Nothing contained in this section shall prohibit a motor vehicle manufacturer, factory branch, distributor, or distributor branch from performing service for reasons of compliance with an order of a court of competent jurisdiction or of warranty under Chapter 17.3 (§ 59.1-207.9 et seq.) of Title 59.1.

~~The preceding provisions of this section~~ B. Subsection A shall not apply to ~~manufacturers~~ the following:

1. ~~Manufacturers~~ of refined fuels truck tanks ~~or to~~ persons who assemble refined fuels truck tanks, or ~~to~~ persons who exclusively manufacture or assemble school buses or school bus parts; or

2. *Manufacturers of engines for trucks having a gross vehicle weight rating of more than 7,500 pounds that owned, operated, or controlled a warranty or service facility in the Commonwealth as of January 1, 2016, provided that the manufacturer:*

- a. Does not own, operate, or control more than five such facilities in the Commonwealth;*
- b. Does not otherwise manufacture, distribute, or sell motor vehicles, as defined in § 46.2-1500; and*
- c. Provides to dealers on substantially equal terms access to all support for completing repairs, including parts and assemblies, training, and technical service bulletins and other information concerning repairs, that the manufacturer provides to facilities owned, operated, or controlled by the manufacturer.*