

LD1641100

HOUSE BILL NO. 1910

Offered January 20, 1995

A BILL to amend and reenact § 46.2-1566 of the Code of Virginia, relating to motor vehicle dealer franchises.

Patron—Abbitt

Referred to Committee on Roads and Internal Navigation

Be it enacted by the General Assembly of Virginia:**1. That § 46.2-1566 of the Code of Virginia is amended and reenacted as follows:**

§ 46.2-1566. Filing of franchises.

~~Each~~ *It is the responsibility of each* motor vehicle manufacturer, factory branch, distributor, distributor branch, or subsidiary thereof ~~shall~~ *to* file with the Commissioner by *certified mail* a true copy of each new, amended, modified, or different form or addendum offered to more than one dealer which affects the rights, responsibilities, or obligations of the parties of a franchise or sales, service, or sales and service agreement to be offered to a motor vehicle dealer or prospective motor vehicle dealer in the Commonwealth no later than sixty days prior to the date the franchise or sales agreement is offered. In no event shall a new, amended, modified, or different form of franchise or sales, service, or sales and service agreement be offered a motor vehicle dealer in the Commonwealth until the form has been ~~approved~~ *determined* by the Commissioner as not containing terms inconsistent with the provisions of this chapter. At the time a filing is made with the Commissioner pursuant to this section, the manufacturer, factory branch, distributor, distributor branch, or subsidiary shall also give written notice together with a copy of the papers so filed to the affected dealer or dealers.

The Department shall inform the manufacturer, factory branch, distributor, distributor branch, or subsidiary and the dealer or dealers of other parties named in the agreement of a preliminary recommendation as to the consistency of the agreement with the provisions of this chapter. If any of the parties involved have comments on the preliminary recommendations, such comments must be submitted to the Commissioner within thirty days of receiving the preliminary recommendations. The Commissioner shall render his decision within fifteen days of receiving comments from the parties involved. If the Commissioner does not receive comments within the thirty-day time period, he shall make the final determination as to the consistency of the agreement with the provisions of this chapter based on the preliminary recommendations.

INTRODUCED

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