

ARKANSAS SENATE
88th General Assembly - Regular Session, 2011
Amendment Form

Subtitle of Senate Bill No. 765

TO AMEND THE ARKANSAS MOTOR VEHICLE COMMISSION ACT.

Amendment No. 2 to Senate Bill No. 765

Amend Senate Bill No. 765 as engrossed, S3/15/11 (version: 3/15/2011 01:39:49 PM)

Page 1, delete lines 22 through 32 and substitute:

"(6)(A) "Coerce" means ~~the failure to act in good faith in~~
~~compelling or attempting to compel by threatening, retaliating, using~~
~~economic force, or by not performing or complying with:~~

(i) ~~any~~ Any terms or provisions of the franchise or
sales and service agreement;

(ii) The terms of this chapter; or

(iii) The rules promulgated by the Arkansas Motor
Vehicle Commission."

AND

Page 3, line 4, delete "~~(k)(1)(1)~~" and substitute "~~(k)~~(1)"

AND

Page 5, delete lines 7 through 16 and substitute:

"by imposing a surcharge on a motor vehicle dealer solely intended to recover
the cost of reimbursing the motor vehicle dealer for parts and labor under
this chapter."

AND

Page 5, line 17, delete "(C) Subdivisions" and substitute "(B) Subdivision"

AND

Page 5, line 17, delete "and (B)" entirely

AND



Page 5, line 17, delete "do" and substitute "does"

AND

Page 5, line 26, delete "process." and substitute "process, provided the dealer receives preapproval pursuant to the established practices of the manufacturer or distributor for these programs."

AND

Page 9, line 15, delete "in numbers based on the available" and substitute "on a fair and equitable or proportionally equivalent basis"

AND

Page 9, line 16, delete "inventory, both on the ground and in transit," entirely

AND

Page 13, line 24, delete "sixty (60) days" and substitute "one (1) day"

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator D. Wyatt

JSE/JSE - 03/15/11 07:20

JSE287

Secretary