## 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 " $\frac{(k)(1)}{(1)}$ " and substitute " $\frac{(k)}{(1)}$ "

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."

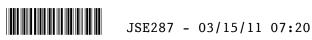
AND

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 " <u>in numbers based on the available</u> " and substitute " <u>on a fair and equitable or proportionally equivalent basis</u> "
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