

1 State of Arkansas  
2 80th General Assembly  
3 Regular Session, 1995  
4 By: Representative D.Wood

# A Bill

HOUSE BILL 1156

## For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE 23-112-103 (21) CONCERNING  
9 THE DEFINITION OF RELEVANT MARKET AREA FOR DEALERS OF  
10 MOTORCYCLES AND MOTORIZED CYCLES; AND FOR OTHER PURPOSES."

## Subtitle

14 "AN ACT CONCERNING THE DEFINITION OF  
15 RELEVANT MARKET AREA FOR DEALERS OF  
16 MOTORCYCLES AND MOTORIZED CYCLES."

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

20 SECTION 1. Arkansas Code 23-112-103 (21) is amended to read as  
21 follows:

22 "(21) Relevant market area means the area within a radius of twenty  
23 (20) miles around an existing dealer or the area of responsibility defined in  
24 the franchise, whichever is greater. However, where a manufacturer is seeking  
25 to establish an additional new motor vehicle dealer and there are one (1) or  
26 more existing new motor vehicle dealers of the same line make within a  
27 ten-mile radius of the proposed dealer site, the relevant market area shall  
28 in all instances be the area within a radius of ten (10) miles around an  
29 existing dealer. And further provided, that for motor vehicle dealers of the  
30 same like make authorized to sell motorcycles and motorized cycles, including  
31 two, three, and four-wheeled motorcycles and motor-driven all-terrain  
32 vehicles other than multi-passenger vehicles sold by licensed motor vehicle  
33 dealers, the relevant market area means the area within a radius of thirty  
34 (30) miles around an existing dealer or the area of responsibility defined in  
35 the franchise, whichever is greater; except that in counties having a

1 population of two hundred fifty thousand (250,000) or more, the relevant  
2 market area means within a radius of ten (10) miles around an existing  
3 dealer;"

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5 SECTION 2. All provisions of this act of a general and permanent  
6 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
7 Code Revision Commission shall incorporate the same in the Code.

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9 SECTION 3. If any provision of this act or the application thereof to  
10 any person or circumstance is held invalid, such invalidity shall not affect  
11 other provisions or applications of the act which can be given effect without  
12 the invalid provision or application, and to this end the provisions of this  
13 act are declared to be severable.

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15 SECTION 4. All laws and parts of laws in conflict with this act are  
16 hereby repealed.

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