

AMENDMENT #1

OFFERED IN THE HOUSE

BY REPRESENTATIVE EASTMAN

TO: HB 36

1 Page 1, line 2: *(title amendment)*

2 Delete the first occurrence of "and"

3 Following "insurance":

4 Insert "; and relating to the definition of motor vehicle dealer"

5

6 Page 3, following line 2:

7 Insert a new bill section to read:

8 **"* Sec. 4.** AS 08.66.350 is amended to read:

9 **Sec. 08.66.350. Definitions.** In this chapter,

10 (1) "buyer's agent" means a person who does business in the state by
11 negotiating on behalf of a buyer the purchase of a motor vehicle from a motor vehicle
12 dealer;

13 (2) "department" means the Department of Administration;

14 (3) "motor vehicle" means a motor vehicle that is required to be
15 registered under AS 28.10;

16 (4) "motor vehicle dealer" or "dealer"

17 (A) means

18 (i) a buyer's agent; or

19 (ii) a person, other than a manufacturer, who sells,
20 leases, solicits, or arranges for the sale or lease of 12 [FIVE] or more
21 motor vehicles in any 12 consecutive months, regardless of who owns
22 the vehicles;

23 (B) does not include

1 (i) a receiver, a trustee, an administrator, an executor, a
2 guardian, or another person appointed by a court or a person
3 performing duties as a public officer;

4 (ii) a person disposing of a motor vehicle acquired and
5 actually used for the person's own use or for the use of a family
6 member of the person, or acquiring a motor vehicle for the person's
7 own use or for the use of a family member of the person if the vehicle
8 is acquired and used in good faith and not for the purpose of avoiding
9 the provisions of this chapter;

10 (iii) a person who sells motor vehicles as an incident of
11 the person's principal business but who is not engaged primarily in the
12 selling of motor vehicles;

13 (iv) an employee of an organization arranging for the
14 purchase or lease by the organization of a vehicle for use in the
15 organization's business;

16 (v) a publication, broadcast, or other communications
17 media when engaged in the business of advertising, but not otherwise
18 arranging for the sale of a motor vehicle owned by another person."