

ALASKA STATE LEGISLATURE

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SENATOR KEVIN MEYER SENATE DISTRICT M

SECTIONAL SUMMARY SENATE BILL 47

An Act relating to motor vehicle franchises, motor vehicle transactions, motor vehicle dealers, motor vehicle manufacturers, and motor vehicle distributors.

Section 1

Uncodified Law New section
Legislative findings

Section 2

Amends AS 45.25.110(a)
Addresses termination, adds acted in good faith clause

Section 3

Adds a new subsection to AS 45.25.110
Reasons not to terminate an agreement, standards for the motor vehicle dealer.

Section 4

Amends AS 45.25, adds new section.
Sec. 45.25.115 Good Cause; burden of proof. This allows the manufacturer to terminate an agreement on conduct of the auto dealer.

Section 5

Amends AS 45.25.120(a) – Before termination of a franchise agreement
Clarifies termination by manufacturer

Section 6

Amends AS 45.25 and adds new section
Sec. 45.25.135 Termination by dealer.

Section 7

Repeals and reenacts 45.25.140
Sec. 45.25.140 clarifies the payment for inventory, equipment, and other items.

Section 8

Repeals and reenacts 45.25.150

Sec. 45.25.150 clarifies payments for dealership facilities and businesses

Section 9

Amends AS 45.25 and adds new section

Sec. 45.25.155 Application of payment provisions

Section 10

AS 45.25.160 is repealed and reenacted

Sale, transfer or exchange of a franchise.

Section 11

Amends AS 45.25. by adding a new section

AS 45.25.165 mitigation of damages

Section 12

Repeals and reenacts AS 45.25.170

Succession

Section 13

Repeal and reenact AS 45.25.180

New or relocated dealership

Section 14

Amends AS 45.25 by adding a new section

Sec. 45.25.185 Court Actions

Section 15

Amends AS 45.25. by adding new sections

Sec. 45.25.200 Payment and approval of claims

Sec. 45.25.210 Rates for warranty and other work

Sec. 45.25.220 Performance and reimbursement of certain repairs

Sec. 45.25.230 Discontinuation or reduction of line

Section 16

Repeals and reenacts 45.25.300

Unfair practices; addresses practices by manufacturers

Section 17

Repeal and reenacts AS 45.35.990 (19)

Defines terminate.

Section 18

Amends AS 45.25.990

Defines line or make and relevant market area

Section 19

Repeals AS 45.25.110(b) and 45.25.110(c)

Franchise agreement termination due to death or incapacity; Good cause

Section 20

Adds a new section to uncodified law.

This is an applicability section, effective date and definitions.

Section 21

Adds a new section to uncodified law.

This is basically a transition schedule of compensation and definition section.