

Bill No. CS for SB 1814

Barcode 784796

	CHAMBER ACTION	
<u>Senate</u>		<u>House</u>

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The Committee on Commerce and Consumer Services (Aronberg)  
recommended the following amendment:

**Senate Amendment**

On page 9, line 23, through  
page 10, line 8, delete those lines

and insert: product popularity, retail lease transactions, or  
other factors affecting sales to consumers of the community or  
territory. With respect to any geographic comparison area used  
to evaluate the performance of the line-make, the party  
advocating such comparison area must prove that it is an  
appropriate area to use for such purpose. Individual markets  
outside of this state may not be used for comparison to  
markets in this state. However, the market share in the United  
States or in the region, as defined by the licensee, in which  
this state is located, or in markets in the United States or  
the region in which a line-make is represented, may be used.  
Reasonably expected market penetration must be measured with  
respect to the community or territory as a whole, and with  
respect to any part thereof or identifiable plot therein if

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1 the licensee demonstrates that it is appropriate to use the  
2 area for this purpose, taking into account evidence including,  
3 but not limited to, the location of existing dealers, the  
4 geographic and demographic size of the area, and the number of  
5 motor vehicle registrations. To demonstrate that reasonably  
6 expected market penetration is not being achieved, the  
7 licensee must prove that any deviation or shortfall in market  
8 penetration is derived from a reasonable comparison area.

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