

1 A bill to be entitled
2 An act relating to motor vehicle dealers; amending s.
3 320.64, F.S.; revising prohibitions against actions by a
4 licensed motor vehicle manufacturer, factory branch,
5 distributor, or importer; prohibiting certain actions by a
6 licensee relating to relocating, expanding, improving,
7 remodeling, renovating, or altering certain approved
8 facilities of a motor vehicle dealer; providing for the
9 licensee to offer certain inducements for such changes
10 under certain conditions; prohibiting certain adverse
11 actions and certain acts of discrimination against a
12 dealer; prohibiting establishing the state as a zone,
13 region, or territory for certain purposes; providing for
14 application of specified provisions to existing contracts;
15 specifying that a licensee may set and uniformly apply
16 certain standards for a motor vehicle dealer's sales and
17 service facilities; revising a prohibition against certain
18 changes in supply to a dealer; prohibiting adverse action
19 against a dealer who sold or leased a motor vehicle to a
20 customer who exported the vehicle to a foreign country, or
21 who resold the vehicle, unless the licensee proves actual
22 knowledge; revising prohibitions against certain audits;
23 creating s. 320.6412, F.S.; providing that no franchise
24 agreement shall be terminated, canceled, discontinued, or
25 not renewed on the basis of misrepresentation, fraud, or
26 filing false or fraudulent statements or claims unless the
27 licensee proves actual knowledge or has provided the
28 dealer with written notice and a reasonable time to cure

29 | the fraudulent actions; amending s. 320.696, F.S.;

30 | revising provisions for responsibilities of a licensee for

31 | work performed pursuant to warranty, preparation

32 | procedures, or recall, directive, or bulletin; providing

33 | definitions; providing requirements for compensation to a

34 | motor vehicle dealer for such work; providing procedures

35 | for determining compensation amounts; providing for

36 | changes in compensation amounts; prohibiting certain acts

37 | to recover compensation costs; prohibiting certain acts of

38 | discrimination against a dealer; providing for

39 | severability; providing an effective date.

40 |

41 | Be It Enacted by the Legislature of the State of Florida:

42 |

43 | Section 1. Subsections (10), (18), (22), (25), (26), and

44 | (30) of section 320.64, Florida Statutes, are amended to read:

45 | 320.64 Denial, suspension, or revocation of license;

46 | grounds.--A license of a licensee under s. 320.61 may be denied,

47 | suspended, or revoked within the entire state or at any specific

48 | location or locations within the state at which the applicant or

49 | licensee engages or proposes to engage in business, upon proof

50 | that the section was violated with sufficient frequency to

51 | establish a pattern of wrongdoing, and a licensee or applicant

52 | shall be liable for claims and remedies provided in ss. 320.695

53 | and 320.697 for any violation of any of the following

54 | provisions. A licensee is prohibited from committing the

55 | following acts:

56 | (10) (a) The applicant or licensee has attempted to enter,

CS/HB 1269

2008

57 or has entered, into a franchise agreement with a motor vehicle
58 dealer who does not, at the time of the franchise agreement,
59 have proper facilities to provide the services to his or her
60 purchasers of new motor vehicles which are covered by the new
61 motor vehicle warranty issued by the applicant or licensee.
62 Notwithstanding any provision of a franchise agreement, after a
63 licensee has approved the sales and service facilities of a
64 motor vehicle dealer, the licensee shall not require, by
65 agreement, program, policy, or standard, the dealer to relocate,
66 expand, improve, remodel, renovate, or alter any part of those
67 facilities.

68 (b) A licensee may, however, provide a one-time increase
69 in vehicle allocation, a loan, or a grant of money to a motor
70 vehicle dealer as an inducement to relocate, expand, improve,
71 remodel, alter, or renovate its facilities if the licensee
72 delivers an assurance to the dealer that it will supply a
73 sufficient quantity of new motor vehicles to the dealer,
74 consistent with its allocation obligations at law and its
75 allocation obligations to its other same line-make motor vehicle
76 dealers, which will economically justify such relocation,
77 expansion, improvement, remodeling, renovation, or alteration in
78 light of reasonably current and reasonably projected market and
79 economic conditions. The provisions of the one-time increase in
80 vehicle allocation, loan, or grant and assurance, and the basis
81 for them, must be in a written agreement voluntarily entered
82 into by the dealer and must be made available, on equal terms,
83 to the licensee's other same line-make dealers in this state.

84 (c) Except as provided in paragraph (b), a licensee shall

85 not withhold a bonus, incentive, or other benefit that is
86 available to its other same line-make franchised dealers in this
87 state from, or take or threaten to take any action that is
88 unfair or adverse to, a dealer who does not enter into an
89 agreement with the licensee pursuant to paragraph (b).

90 (d) A licensee shall not refuse to offer a program for a
91 bonus, incentive, or other benefit, in whole or in part, to a
92 dealer in this state which it offers to its other same line-make
93 dealers nationally or in the licensee's zone or region in which
94 this state is included or otherwise discriminate against a
95 Florida dealer with respect to any such program. For purposes of
96 this chapter, no licensee shall establish Florida alone as a
97 zone, region, or territory by any other designation.

98 (e) Nothing contained in paragraph (a) or paragraph (b)
99 shall affect any contract between a licensee and any of its
100 dealers regarding relocation, expansion, improvement,
101 remodeling, renovation, or alteration which exists on the
102 effective date of this act.

103 (f) Any portion of a licensee-offered program for a bonus,
104 incentive, or other benefit that, in whole or in part, is based
105 upon or aimed at inducing a dealer's relocation, expansion,
106 improvement, remodeling, renovation, or alteration is void for
107 each of the licensee's dealers in this state who nevertheless
108 are eligible for the entire amount of the bonus, incentive, or
109 benefit offered in the program upon compliance with the other
110 bases or eligibility provisions in the program.

111 (g) A licensee may set and uniformly apply reasonable
112 standards for a motor vehicle dealer's sales and service

113 facilities which are related to upkeep, repair, and cleanliness.

114 (18) The applicant or licensee has established a system of
 115 motor vehicle allocation or distribution or has implemented a
 116 system of allocation or distribution of motor vehicles to one or
 117 more of its franchised motor vehicle dealers which reduces or
 118 alters allocations or supplies of new motor vehicles to the
 119 dealer to achieve, directly or indirectly, a purpose that is
 120 prohibited by ss. 320.60-320.70 or which otherwise is unfair,
 121 inequitable, unreasonably discriminatory, or not supportable by
 122 reason and good cause after considering the equities of the
 123 affected motor vehicles dealer or dealers. An applicant or
 124 licensee shall maintain for 3 years records that describe its
 125 methods or formula of allocation and distribution of its motor
 126 vehicles and records of its actual allocation and distribution
 127 of motor vehicles to its motor vehicle dealers in this state. As
 128 used in this subsection, the term "unfair" includes, without
 129 limitation, the refusal or failure to offer to any dealer an
 130 equitable supply of new vehicles under its franchise, by model,
 131 mix, or colors, as the licensee offers or allocates to its other
 132 same line-make dealers in the state.

133 (22) The applicant or licensee has refused to deliver, in
 134 reasonable quantities and within a reasonable time, to any duly
 135 licensed motor vehicle dealer who has an agreement with such
 136 applicant or licensee for the retail sale of new motor vehicles
 137 and parts for motor vehicles sold or distributed by the
 138 applicant or licensee, any such motor vehicles or parts as are
 139 covered by such agreement. Such refusal includes the failure to
 140 offer to its same line-make franchised motor vehicle dealers all

CS/HB 1269

2008

141 models manufactured for that line-make, or requiring a dealer to
142 pay any extra fee, require a dealer to execute a separate
143 franchise agreement, purchase unreasonable advertising displays
144 or other materials, or relocate, expand, improve, remodel,
145 renovate, ~~or~~ recondition, or alter the dealer's existing
146 facilities, or provide exclusive facilities as a prerequisite to
147 receiving a model or series of vehicles. However, the failure to
148 deliver any motor vehicle or part will not be considered a
149 violation of this section if the failure is due to an act of
150 God, work stoppage, or delay due to a strike or labor
151 difficulty, a freight embargo, product shortage, or other cause
152 over which the applicant or licensee has no control. An
153 applicant or licensee may impose reasonable requirements on the
154 motor vehicle dealer, other than the items listed above,
155 including, but not limited to, the purchase of special tools
156 required to properly service a motor vehicle and the undertaking
157 of sales person or service person training related to the motor
158 vehicle.

159 (25) The applicant or licensee has undertaken an audit of
160 warranty payments or incentive payments ~~payment~~ previously paid
161 to a motor vehicle dealer in violation of this section or has
162 failed to comply with any of its obligations under s. 320.696.
163 An applicant or licensee may reasonably and periodically audit a
164 motor vehicle dealer to determine the validity of paid claims as
165 provided in s. 320.696. Audit of warranty payments shall only be
166 for the 1-year period immediately following the date the claim
167 was paid. Audit of incentive payments shall only be for an 18-
168 month period immediately following the date the incentive was

169 | paid. An applicant or licensee shall not deny a claim or charge
170 | a motor vehicle dealer back subsequent to the payment of the
171 | claim unless the applicant or licensee can show that the claim
172 | was false or fraudulent or that the motor vehicle dealer failed
173 | to substantially comply with the reasonable written and
174 | uniformly applied procedures of the applicant or licensee for
175 | such repairs or incentives. An applicant or licensee may not
176 | charge a motor vehicle dealer back subsequent to the payment of
177 | a claim unless a representative of the applicant or licensee
178 | first meets in person, by telephone, or by video teleconference
179 | with an officer or employee of the dealer designated by the
180 | motor vehicle dealer. At such meeting the applicant or licensee
181 | must provide a detailed explanation, with supporting
182 | documentation, as to the basis for each of the claims for which
183 | the applicant or licensee proposed a charge-back to the dealer
184 | and a written statement containing the basis upon which the
185 | motor vehicle dealer was selected for audit or review.
186 | Thereafter, the applicant or licensee must provide the motor
187 | vehicle dealer's representative a reasonable period after the
188 | meeting within which to respond to the proposed charge-backs,
189 | with such period to be commensurate with the volume of claims
190 | under consideration, but in no case less than 45 days after the
191 | meeting. The applicant or licensee is prohibited from changing
192 | or altering the basis for each of the proposed charge-backs as
193 | presented to the motor vehicle dealer's representative following
194 | the conclusion of the audit unless the applicant or licensee
195 | receives new information affecting the basis for one or more
196 | charge-backs. If the applicant or licensee claims the existence

197 of new information, the dealer must be given the same right to a
 198 meeting and right to respond as when the charge-back was
 199 originally presented.

200 (26) Notwithstanding the terms of any franchise agreement,
 201 including any licensee's program, policy, or procedure, the
 202 applicant or licensee has refused to allocate, sell, or deliver
 203 motor vehicles; charged back or withheld payments or other
 204 things of value for which the dealer is otherwise eligible under
 205 a sales promotion, program, or contest; ~~or prevented a~~ the motor
 206 vehicle dealer from participating in any promotion, program, or
 207 contest; or has taken or threatened to take any adverse action
 208 against a dealer, including charge backs, reducing vehicle
 209 allocations, or terminating or threatening to terminate a
 210 franchise because the dealer sold or leased a motor vehicle to a
 211 customer who exported the vehicle to a foreign country, or who
 212 resold the vehicle, unless the licensee proves that the dealer
 213 had actual knowledge that the customer intended to export or
 214 resell the motor vehicle. There is a conclusive presumption that
 215 the dealer had no actual knowledge if the vehicle is titled or
 216 registered in any state in this country for selling a motor
 217 ~~vehicle to a customer who was present at the dealership and the~~
 218 ~~motor vehicle dealer did not know or should not have reasonably~~
 219 ~~known that the vehicle would be shipped to a foreign country.~~
 220 ~~There will be a rebuttable presumption that the dealer did not~~
 221 ~~know or should not have reasonably known that the vehicle would~~
 222 ~~be shipped to a foreign country if the vehicle is titled in one~~
 223 ~~of the 50 United States.~~

224 (30) The applicant or licensee has conducted or threatened

225 | to conduct any audit of a motor vehicle dealer in order to
 226 | coerce or attempt to coerce the dealer to forego any rights or
 227 | remedies granted to the dealer under ss. 320.60-320.70 or under
 228 | the agreement between the licensee and the motor vehicle dealer.
 229 | Nothing in this section shall prohibit an applicant or licensee
 230 | from reasonably and periodically auditing a dealer to determine
 231 | the validity of paid claims, as permitted under this chapter, if
 232 | the licensee complies with the provisions of ss. 320.60-320.70
 233 | applicable to such audits.

234 | Section 2. Section 320.6412, Florida Statutes, is created
 235 | to read:

236 | 320.6412 Franchise termination based on fraud; standard of
 237 | proof.--Notwithstanding the provisions of any franchise
 238 | agreement, a franchise agreement of a motor vehicle dealer shall
 239 | not be terminated, canceled, discontinued, or not renewed by a
 240 | licensee on the basis of any misrepresentation or fraud, or the
 241 | filing of false or fraudulent statements or claims with the
 242 | licensee, unless the licensee proves by clear and convincing
 243 | evidence at a hearing that the majority owner or, if there is no
 244 | majority owner, the person designated as dealer-principal in the
 245 | franchise agreement either had actual knowledge of such acts at
 246 | the time they allegedly were committed, or that the licensee
 247 | provided written notice to the majority owner or dealer-
 248 | principal detailing such alleged acts, and that the majority
 249 | owner or dealer-principal, within a reasonable time after
 250 | receipt of such written notice, failed to take actions
 251 | reasonably calculated to prevent such acts from continuing or
 252 | reoccurring.

253 Section 3. Section 320.696, Florida Statutes, is amended to
254 read:

255 320.696 Warranty responsibility.--

256 (1) (a) A licensee shall timely compensate a motor vehicle
257 dealer who performs work to maintain or repair a licensee's
258 product under a warranty or maintenance plan, extended warranty,
259 certified pre-owned warranty, or service contract issued by the
260 licensee or its common entity; to fulfill a licensee's delivery
261 or preparation procedures; or to repair a motor vehicle as a
262 result of a licensee's or common entity's recall, directive, or
263 bulletin.

264 (b) As used in this section, the term:

265 1. "Compensate" and "compensation" include all labor and
266 parts included in the work as provided in this section.

267 2. "Labor" includes time spent by employees for diagnosis
268 and repair of a vehicle.

269 3. "Parts" includes replacement parts and accessories.

270 4. "Retail customer repair" means work, including parts
271 and labor, performed by a dealer which does not come within the
272 provisions of a licensee's or its common entity's warranty,
273 extended warranty, service contract, or maintenance plan and
274 excludes parts and labor described in paragraphs (3) (b) and
275 (4) (c).

276 (c) Compensation not paid to a motor vehicle dealer within
277 30 days after receipt of a claim is not timely. A licensee shall
278 not establish or implement a term, policy, or procedure
279 different from those described in this section for any motor
280 vehicle dealer to obtain compensation under this section and

281 shall not pay a motor vehicle dealer less than amounts due
 282 pursuant to this section.

283 (2) A licensee shall not take or threaten to take adverse
 284 action against a motor vehicle dealer who seeks to obtain
 285 compensation pursuant to this section. As used in this
 286 subsection, the term "adverse action" includes, without
 287 limitation, acting or failing to act, other than in good faith;
 288 creating or implementing an obstacle or process that is
 289 inconsistent with the licensee's obligations to the dealer under
 290 this section; hindering, delaying, or rejecting the proper and
 291 timely payment of compensation due under this section to a
 292 dealer; establishing, implementing, enforcing, or applying any
 293 policy, standard, rule, program, or incentive regarding
 294 compensation due under this section other than in a uniform and
 295 nondisparate manner among the licensee's dealers in this state;
 296 conducting or threatening to conduct any warranty, retail
 297 customer repair, or other service-related audit more frequently
 298 than once each calendar year; or denying, reducing, or charging
 299 back a warranty claim because of a dealer's failure to comply
 300 with all of the licensee's requirements for describing or
 301 processing a claim.

302 (3) (a) A licensee shall compensate a motor vehicle dealer
 303 for parts used in any work described in subsection (1). The
 304 compensation shall be an agreed percentage markup over the
 305 licensee's dealer cost, but if an agreement is not reached
 306 within 30 days after a dealer's written request, compensation
 307 for the parts is the greater of:

308 1. The dealer's arithmetical mean percentage markup over

309 dealer cost for all parts charged by the dealer in 25
310 consecutive retail customer repair orders made and selected by
311 the dealer within the 3-month period before the written request,
312 or all retail customer repair orders over the previous 3 months
313 if there are fewer than 25 retail customer repair orders in that
314 period. A repair order shall not be excluded from the
315 computation because it contains both warranty or maintenance
316 work and retail customer repairs. However, only the retail
317 customer repair portion of the repair order shall be included in
318 the computation and the parts described in paragraph (b) shall
319 be excluded from the computation;

320 2. The licensee's highest suggested retail or list price
321 for the parts; or

322 3. An amount equal to the dealer's markup over dealer cost
323 that results in the same gross profit percentage for parts used
324 in work done under subsection (1) as the dealer receives for
325 parts used in the customer retail repairs, as evidenced by the
326 dealer's financial statement for the month preceding the
327 dealer's request. If a licensee reduces the suggested retail or
328 list price for any replacement part or accessory, it shall also
329 reduce, by at least the same percentage, the cost to the dealer
330 for the part or accessory. The dealer's markup or gross profit
331 percentage shall be uniformly applied to all of the licensee's
332 parts used by the dealer in performing work covered by
333 subsection (1).

334 (b) In calculating the compensation to be paid for parts
335 by the arithmetic mean percentage markup over dealer cost method
336 in paragraph (a), parts discounted by a dealer for repairs made

337 in group, fleet, insurance, or other third-party payor service
338 work; parts used in repairs of government agencies' repairs for
339 which volume discounts have been negotiated; parts used in
340 special event, specials, or promotional discounts for retail
341 customer repairs; parts sold at wholesale; parts used for
342 internal repairs; engine assemblies and transmission assemblies;
343 parts used in retail customer repairs for routine maintenance,
344 such as fluids, filters, and belts; nuts, bolts, fasteners, and
345 similar items that do not have an individual part number; and
346 tires shall be excluded in determining the percentage markup
347 over dealer cost.

348 (c) If a licensee furnishes a part or component to a motor
349 vehicle dealer at no cost to use in performing repairs under a
350 recall, service action, or warranty repair, the licensee shall
351 compensate the dealer for the part or component in the same
352 manner as warranty parts compensation under this subsection,
353 less the dealer cost for the part or component as listed in the
354 licensee's price schedule.

355 (d) A licensee shall not establish or implement a special
356 part or component number for parts used in predelivery, dealer
357 preparation, warranty, or maintenance-only applications if that
358 results in lower compensation to the dealer than as calculated
359 in this subsection.

360 (4)(a) A licensee shall compensate a motor vehicle dealer
361 for labor performed in connection with work described in
362 subsection (1) as calculated in this subsection.

363 (b) Compensation paid by a licensee to a motor vehicle
364 dealer may be an agreed hourly labor rate. If, however, an

365 agreement is not reached within 30 days after the dealer's
366 written request, the dealer may choose to be paid the greater
367 of:

368 1. The dealer's hourly labor rate for retail customer
369 repairs, determined by dividing the amount of the dealer's total
370 labor sales for retail customer repairs by the number of total
371 labor hours that generated those sales for the month preceding
372 the request, excluding the work in paragraph (c); or

373 2. An amount equal to the dealer's markup over dealer cost
374 that results in the same gross profit percentage for labor hours
375 in work covered by subsection (1) as the dealer receives for
376 labor used in its customer retail repairs, as evidenced by the
377 dealer's financial statement provided to the licensee for the
378 month preceding the dealer's written request, if the dealer
379 provides in the written request the arithmetical mean of the
380 hourly wage paid to all of its technicians during that preceding
381 month. The arithmetical mean shall be the dealer cost used in
382 that calculation.

383
384 After an hourly labor rate is agreed or determined, the licensee
385 shall uniformly apply and pay that hourly labor rate for all
386 labor used by the dealer in performing work under subsection
387 (1). However, a licensee shall not pay an hourly labor rate less
388 than the hourly rate it was paying to the dealer for work done
389 under subsection (1) on January 1, 2008. A licensee shall not
390 eliminate flat-rate times from or establish an unreasonable
391 flat-rate time in its warranty repair manual, warranty time
392 guide, or any other similarly named document. A licensee shall

393 establish reasonable flat-rate labor times in its warranty
394 repair manuals and warranty time guides for newly introduced
395 model motor vehicles which are at least consistent with its
396 existing documents. As used in this subsection, the terms
397 "retail customer," "repair," and "similar work" are not limited
398 to a repair to the same model vehicle or model year but include
399 prior repairs that resemble but are not identical to the repair
400 for which the dealer is making a claim for compensation.

401 (c) In determining the hourly labor rate calculated under
402 subparagraph (b)1., a dealer's labor charges for internal
403 vehicle repairs; vehicle reconditioning; repairs performed for
404 group, fleet, insurance, or other third-party payors; discounted
405 repairs of motor vehicles for government agencies; labor used in
406 special events, specials, and express service; and promotional
407 discounts shall not be included as retail customer repairs and
408 shall be excluded from such calculations.

409 (5) A licensee shall not review, change, or fail to pay a
410 motor vehicle dealer for parts or labor determined under this
411 section unless the dealer has requested a change or the action
412 is pursuant to the licensee's written, predetermined schedule
413 for increasing parts or labor compensation that is not contrary
414 to any provision of this section. A dealer may make written
415 requests for changes in compensation for parts or labor
416 performed under this section not more than semiannually. The
417 dealer shall attach supporting documentation to each written
418 request. The request for changes in parts or labor compensation
419 shall be deemed accepted unless the licensee, within 30 days
420 after receipt of the request, in writing, disputes with

421 specificity the supporting documentation in the request. Any
 422 increase in parts or labor reimbursement determined thereafter
 423 to be owed to the dealer shall be paid retroactively to the date
 424 of the licensee's receipt of the written request.

425 (6) A licensee shall not recover or attempt to recover,
 426 directly or indirectly, any of its costs for compensating a
 427 motor vehicle dealer under this section, including by decreasing
 428 or eliminating solely in this state, or as relates to any of its
 429 dealers, any bonus or incentive that it has in effect
 430 nationally, regionally, or in a territory by any other
 431 designation; by reducing the dealer's gross margin for any of
 432 the licensee's products or services when the wholesale price
 433 charged to the dealer is determined by the licensee and the
 434 reduction is not in effect nationally or regionally; by imposing
 435 a separate charge or surcharge to the wholesale price paid by a
 436 dealer in this state for any product or service offered to or
 437 supplied by a licensee under a franchise agreement with the
 438 dealer; or by passing on to the dealer any charge or surcharge
 439 of a common entity of the licensee.

440 (7) A licensee shall not require, influence, or attempt to
 441 influence a motor vehicle dealer to implement or change the
 442 prices for which it sells parts or labor in retail customer
 443 repairs. A licensee shall not implement or continue a policy,
 444 procedure, or program to any of its dealers in this state for
 445 compensation under this section which is less favorable to its
 446 dealers in this state than is applicable to its dealers
 447 nationally or regionally or, if there is no such national or
 448 regional policy, to its dealers in a majority of states.

449 (8) If a court determines with finality that any provision
450 of this section is void or unenforceable, the remaining
451 provisions shall not be affected but shall remain in effect. The
452 ~~licensee shall reasonably and timely compensate any authorized~~
453 ~~motor vehicle dealer who performs work, including labor and~~
454 ~~parts, to rectify the licensee's product or warranty defects or~~
455 ~~fulfills delivery and preparation obligations. In the~~
456 ~~determination of what constitutes reasonable compensation under~~
457 ~~this section, the factors to be given consideration shall~~
458 ~~include, among others, the compensation being paid by other~~
459 ~~licensees to their dealers, the prevailing wage rate being paid~~
460 ~~by the dealers, and the prevailing labor rate being charged by~~
461 ~~the dealers, in the city or community in which the dealer is~~
462 ~~doing business. For the purpose of this section, reasonable~~
463 ~~compensation for work, including labor and parts, by a motor~~
464 ~~vehicle dealer for warranty repairs or service, including labor~~
465 ~~and parts, on behalf of a licensee shall be determined to be~~
466 ~~equal to the amount charged by the dealer for like work to~~
467 ~~retail customers for nonwarranty repairs and service, including~~
468 ~~labor and parts, unless the licensee has demonstrated and~~
469 ~~established in a proceeding before the department that the~~
470 ~~dealer's retail charges for labor and parts are improper in~~
471 ~~light of all economic circumstances. Compensation not paid~~
472 ~~within 30 days after receipt or notice of billing is presumed~~
473 ~~untimely. A licensee may not otherwise recover, or seek to~~
474 ~~recover, any of its costs for compensating a motor vehicle~~
475 ~~dealer for warranty work, including labor and parts, by imposing~~
476 ~~on a motor vehicle dealer any charge or surcharge to the~~

CS/HB 1269

2008

477 ~~wholesale price paid by a motor vehicle dealer to the licensee~~
478 ~~for any product, including motor vehicles and parts.~~

479 Section 4. This act shall take effect upon becoming a law.