

2 State of Arkansas
3 94th General Assembly
4 Regular Session, 2023

A Bill

SENATE BILL 395

5
6 By: Senator M. Johnson

7 Filed with: Senate Committee on Transportation, Technology, and Legislative Affairs
8 pursuant to A.C.A. §10-3-217.

9 For An Act To Be Entitled

10 AN ACT TO AMEND THE LAW CONCERNING THE OWNERSHIP,
11 OPERATION, OR CONTROL OF A MOTOR VEHICLE DEALER BY A
12 MANUFACTURER; AND FOR OTHER PURPOSES.

13 14 15 Subtitle

16 TO AMEND THE LAW CONCERNING THE
17 OWNERSHIP, OPERATION, OR CONTROL OF A
18 MOTOR VEHICLE DEALER BY A MANUFACTURER.

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

22
23 SECTION 2. Arkansas Code § 23-112-403(a)(3)(B), concerning unlawful
24 practices under the Arkansas Motor Vehicle Commission Act, is amended to add
25 an additional subdivision to read as follows:

26 (v) The ownership, operation, or control of not more
27 than five (5) locations licensed as a motor vehicle dealer for the sale of
28 new motor vehicles and any number of locations that engage exclusively in the
29 repair of the manufacturer's line make of a motor vehicle provided that the
30 manufacturer:

31 (a) Manufactures or assembles zero-emission
32 motor vehicles exclusively and has never sold its line make of a motor
33 vehicle in this state through a franchised motor vehicle dealer of new motor
34 vehicles; and

35 (b) Has not acquired a controlling interest in
36 a franchisor or a subsidiary or other entity controlled by the franchisor, or

1 sold or transferred a controlling interest in the manufacturer to a
2 franchisor or subsidiary or other entity controlled by the franchisor.

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Referred requested by the Arkansas Senate

Prepared by: DTP/SJA