

DEALER ADVISORY
DIVISION OF MOTORIST SERVICES
BUREAU OF MOTOR VEHICLES FIELD OPERATIONS

To: All Dealers

Subject: Legislative Update

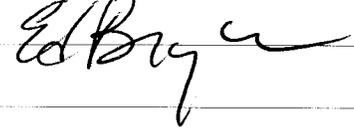
Advisory

Date: August 15, 2011

Implementation

Date: Immediate

Ed Broyles, Bureau Chief



Advisory Number: BMVFO11-04

1. Please be aware that House Bill 437 passed. – Effective 7/1/11
 - The Bill will allow the Department to continue our current process of listing line-makes and models as outlined in the agreement between the manufacturer, distributor or importer and the franchise dealer. Redefines term "line-make vehicles" to clarify circumstances under which vehicles sold or leased under multiple brand names or marks constitute a single line-make.
 - The Bill requires agreements between the franchise dealer and the manufacturer, distributor or importer to be retroactive. "Revises application of provisions relating to franchise agreements."
2. Please be aware that Senate Bill 142 passed - Effective date: 6/23/11
 - The Bill requires the court to adjudicate partial judgment to manufacturers in cases where there are subsequent injuries that were caused after the initial crash that are a direct result of faulty equipment. "Requires the trier of fact to consider the fault of all persons who contributed to an accident when apportioning damages in a products liability action alleging an enhanced injury. Requires the jury instructions to apportion certain fault in a products liability action. Provides legislative intent to overrule a judicial opinion. Provides a legislative finding that fault should be apportioned among all responsible persons in a products liability action."
3. Please be aware that Senate Bill 146 passed - Effective date: 1/1/12
 - The Bill requires the Department to delete the requirement for convicted felons to provide proof of restoration of their civil rights to be considered for a Dealer license. "Prohibits state agencies from denying an application for a license, permit, certificate, or employment based solely on a person's lack of civil rights."

Thank you for your assistance with the implementation in all areas above. If you have any questions regarding these issues please contact your local Motor Vehicle Field Operations regional office.