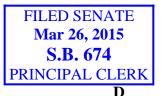
GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2015



SENATE DRS35167-ML-114 (03/05)

Short Title:	Truck Dealer Cost Reimbursement.	(Public)
Sponsors:	Senator Apodaca (Primary Sponsor).	
Referred to:		

A BILL TO BE ENTITLED 1 2 AN ACT TO INCREASE THE AMOUNT OF COMPENSATION PAYABLE BY A 3 MANUFACTURER, MANUFACTURER BRANCH. DISTRIBUTOR, OR 4 DISTRIBUTOR BRANCH OF CERTAIN NEW MOTOR VEHICLES TO MOTOR 5 VEHICLE DEALERS TO COVER CERTAIN COSTS. 6 The General Assembly of North Carolina enacts: 7 **SECTION 1.** G.S. 20-305.1(g) reads as rewritten: Truck Dealer Cost Reimbursement. - Every manufacturer, manufacturer branch, 8 "(g) 9 distributor, or distributor branch of new motor vehicles, or any affiliate or subsidiary thereof, which that manufactures or distributes new motor vehicles with a gross vehicle weight rating of 10 11 16,000 pounds or more shall compensate its new motor vehicle dealers located in this State for 12 the cost of special tools, equipment, and training for which its dealers are liable when the 13 applicable manufacturer, manufacturer branch, distributor, or distributor branch sells a portion 14 of its vehicle inventory to converters and other nondealer retailers. The purpose of this 15 reimbursement is to compensate truck dealers for special additional costs these dealers are required to pay for servicing these vehicles when the dealers are excluded from compensation 16 17 for these expenses at the point of sale. The compensation which that shall be paid pursuant to 18 this subsection shall be applicable only with respect to new motor vehicles with a gross vehicle 19 weight rating of 16,000 pounds or more whichthat are registered to end users within this State 20 and that are sold by a manufacturer, manufacturer branch, distributor, or distributor branch to 21 either: either of the following: 22 (1)Persons or entities other than new motor vehicle dealers with whom the 23 manufacturer, manufacturer branch, distributor, or distributor branch has entered into franchises; or franchises. 24 25

(2) Persons or entities that install custom bodies on truck chassis, including, but not limited to, mounted equipment or specialized bodies for concrete distribution, firefighting equipment, waste disposal, recycling, garbage disposal, buses, utility service, street sweepers, wreckers, and rollback bodies for vehicle recovery; provided, however, that no compensation shall be required to be paid pursuant to this subdivision with respect to vehicles sold for purposes of manufacturing or assembling school buses.

The amount of compensation which<u>that</u> shall be payable by the applicable manufacturer, manufacturer branch, distributor, or distributor branch shall be <u>sixnine</u> hundred dollars (<u>\$600.00</u>)(<u>\$900.00</u>) per new motor vehicle registered in this State whose chassis has a gross vehicle weight rating of 16,000 pounds or more. The compensation required pursuant to this subsection shall be paid by the applicable manufacturer, manufacturer branch, distributor, or



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General Assembly of North Carolina

distributor branch to its franchised new motor vehicle dealer in closest proximity to the registered address of the end user to whom the motor vehicle has been registered within 30 days after suchthe registration. Upon receiving a request in writing from one of its franchised dealers located in this State, a manufacturer, manufacturer branch, distributor, or distributor branch shall promptly make available to <u>suchthe</u> dealer its records relating to the registered addresses of its new motor vehicles registered in this State for the previous 12 months and its payment of compensation to dealers as provided in this subsection."

8 **SECTION 2.** This act is effective when it becomes law and applies to all current 9 and future franchises and other agreements in existence between any new motor vehicle dealer 10 located in this State and a manufacturer or distributor as of the effective date of this act.