



January 30, 2015

SENATE BILL No. 72

DIGEST OF SB 72 (Updated January 28, 2015 10:09 am - DI ck)

Citations Affected: IC 9-32.

Synopsis: Motor vehicle manufacturers and distributors. Provides that it is an unfair practice for a manufacturer or a distributor to sell or offer to sell a new motor vehicle (vehicle) directly to a consumer or display a new vehicle to the general public in order to facilitate a sale other than through an independent franchised new motor vehicle dealer that has a physical place of business that is capable of performing complete warranty service on vehicles produced by the manufacturer, with certain exceptions.

Effective: July 1, 2015.

Buck

January 6, 2015, read first time and referred to Committee on Rules & Legislative Procedure.
January 29, 2015, amended; reassigned to Committee on Commerce & Technology.

SB 72—LS 6166/DI 13



January 30, 2015

First Regular Session 119th General Assembly (2015)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

SENATE BILL No. 72

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 9-32-13-23.5 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2015]: **Sec. 23.5. (a) Except as provided in**
4 **section 23(a)(3) of this chapter, it is an unfair practice for a**
5 **manufacturer or a distributor to:**
6 (1) **sell or offer to sell a new motor vehicle directly to a**
7 **consumer; or**
8 (2) **display a new motor vehicle to the general public in order**
9 **to facilitate a sale;**
10 **other than through an independent franchised new motor vehicle**
11 **dealer that has a physical place of business that is capable of**
12 **performing complete warranty service on motor vehicles produced**
13 **by the manufacturer. This subsection does not apply to sales to**
14 **fleet owners or governmental agencies.**
15 (b) **A manufacturer is not in violation of subsection (a) if:**
16 (1) **the manufacturer has not more than two (2) manufacturer**

SB 72—LS 6166/DI 13



1 owned locations in Indiana that were licensed under
2 IC 9-32-11-1 before January 1, 2015, that display, sell, or
3 service new motor vehicles produced by the manufacturer
4 and the manufacturer has no independent franchise dealers
5 in Indiana;
6 (2) the manufacturer's locations permitted under subdivision
7 (1):
8 (A) meet all state requirements of a licensed new motor
9 vehicle dealer under IC 9-32-11-1; and
10 (B) exclusively display, sell, and service vehicles powered
11 only by electricity; and
12 (3) no part of the vehicle production operations of the
13 manufacturer is sold to any other person or entity.



COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill No. 72, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill be reassigned to the Senate Committee on Commerce & Technology.

(Reference is to SB 72 as introduced.)

LONG, Chairperson

