

BILL SUMMARY
1st Session of the 59th Legislature

Bill No.:	HB2244
Version:	PCS1
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Author:	Rep. Dobrinski
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Research Analysis

The PCS to HB 2244 authorizes dealer management system providers establish criteria that must be in place for a dealer or authorized integrator to access and use protected dealer data. The measure prohibits dealer management system providers from imposing access fees, restricting a dealer or integrator from sharing protected dealer data or having access to a dealer data system. The measure limits the liability for dealer management system providers, dealers, authorized integrators, and manufacturers, distributors or importers for certain actions. Manufacturers or distributors having new vehicle sales and service contracts with new vehicle dealers must allow dealers to offer any remote software upgrade or change to vehicle functions and features at the same price and for a reasonable profit as any offered to consumers by the manufacturer or distributor. The measure modifies numerous definitions, including the exclusion of powersports vehicle dealer from being considered a new motor vehicle dealer. The measure provides a definition of "consumer data" and "data management system" and "fleet vehicle". The measure modifies the reasons the Oklahoma Motor Vehicle Commission may deny, revoke or suspend a license. The measure provides a formula for the determination of retail parts rates and retail labor rate. The measure establishes a procedure for the rebuttal of retail parts and labor rates by a manufacturer or distributor. The measure provides the type of information a factory may require in order to assess a charge-back. A new motor vehicle dealer which completes a facility construction or renovation pursuant to factory requirements shall not be required to construct a new facility or renovate the existing facility if the same area of the facility or premises has been constructed or substantially altered within the last ten years. The measure allows for a designated successor to a departing dealership operator. If the proposed sale, transfer, or assignment is to an existing owner's family member or other existing owner, the manufacturer or distributor's evaluation of such proposal is limited to the written, reasonable, and uniformly applied requirements of the manufacturer or distributor relating to good moral character and financial qualifications. The measure clarifies "relevant market area" of a proposed new motor vehicle dealership. The measure provides a definition of "motor vehicle liability policy".

Prepared By: Brad Wolgamott

Fiscal Analysis

HB 2244 modifies various sections of statute related to the Oklahoma Motor Vehicle Commission (OMVC), a non-appropriated state agency. Per the OMVC, the changes in this measure would have no direct fiscal or revenue considerations for the state.

Prepared By: Jay St Clair, House Fiscal Staff

Other Considerations

None.

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