

## SENATE AMENDMENTS TO SENATE BILL 775

By COMMITTEE ON BUSINESS, TRANSPORTATION AND ECONOMIC DEVELOPMENT

April 14

1 On page 4 of the printed bill, lines 5 through 14, delete the boldfaced material.

2 In line 21, restore the bracketed material and delete the boldfaced material.

3 In line 24, restore the bracketed material and delete the boldfaced material.

4 In line 29, restore the bracketed material and delete the boldfaced material.

5 In line 32, restore the bracketed material and delete the boldfaced material.

6 On page 6, line 45, restore the bracketed material.

7 On page 7, delete lines 1 through 37 and insert:

8 “(15) Terminate, cancel, fail to renew or fail to approve the sale, transfer or assignment of any  
9 franchise agreement because the dealer owns, has an investment in, participates in the management  
10 of or holds a franchise agreement with another manufacturer, distributor or importer at a different  
11 dealership site, or has franchises with more than one manufacturer, distributor or importer sharing  
12 the same dealership site, facilities, personnel or display space on or after the effective date of this  
13 2011 Act, provided the dealer complies with the manufacturer’s, distributor’s or importer’s reason-  
14 able capitalization and financial requirements, reasonable space and facility requirements and other  
15 requirements that are justified taking into account the reasonable business considerations of the  
16 manufacturer, distributor or importer and the dealer, and provided there is no change in the prin-  
17 cipal management of the dealership site.

18 “(16)(a) Require a prospective franchisee to enter into a site-control agreement as a condition  
19 of:

20 “(A) Granting or renewing a franchise;

21 “(B) Approving the addition of a line-make of a manufacturer;

22 “(C) Approving the sale, transfer or assignment of a franchise agreement;

23 “(D) Approving the relocation, or granting a new franchise for relocation, of an existing deal-  
24 ership; or

25 “(E) Obtaining fair and reasonable compensation under ORS 650.145 upon the termination, can-  
26 cellation, nonrenewal or discontinuance of any franchise.

27 “(b) Nothing in paragraph (a) of this subsection prohibits enforcement of a voluntary agreement  
28 between a franchisee and a manufacturer, distributor or importer for which separate and valuable  
29 consideration that does not include any of the items listed in paragraph (a) of this subsection has  
30 been offered and accepted.”.

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