

HB0525/608575/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 525
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “of” insert “altering the conditions under which a motor vehicle dealer’s failure to comply with certain requirements constitutes grounds for denial of a certain claim or reduction of the amount of certain compensation;”; in line 10, strike “motor vehicle”; in the same line, strike “notice, documents, or”; in line 11, after “persons;” insert “specifying that a dealer may provide certain information only to a certain customer;”; strike beginning with “prohibiting” in line 13 down through “information;” in line 14; in line 16, after “circumstances;” insert “defining a certain term;”; after line 17, insert:

“BY renumbering

Article – Transportation

Section 15-101(c) through (g), respectively

to be Section 15-101(d) through (h), respectively

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)”;

and in line 20, after “Section” insert “15-101(a) and”.

On page 2, in line 3, after “Section” insert “15-101(c) and”; in the same line, after “(13),” insert “and”; in the same line, strike “, and (15)”; in line 8, after “Section” insert “15-212(c)(10) and”; after line 10, insert:

“SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 15-101(c) through (g), respectively, of Article – Transportation of the Annotated Code of Maryland be renumbered to be Section(s) 15-101(d) through (h), respectively.”;

(Over)

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in line 11, strike “1.” and substitute “2. AND”; in the same line, after “IT” insert “FURTHER”; and in the same line, strike “BY THE GENERAL ASSEMBLY OF MARYLAND”.

AMENDMENT NO. 2

On page 2, after line 13, insert:

“15-101.

(a) In this title the following words have the meanings indicated.

(c) “ADVERSE ACTION” MEANS:

(1) WITHHOLDING ANY CONSIDERATION RECEIVED BY A DEALER FROM A LICENSEE;

(2) WITHHOLDING A CONSUMER BENEFIT THROUGH A DEALER; OR

(3) APPOINTING OR THREATENING TO APPOINT AN ADDITIONAL DEALER WITHIN THE MARKET AREA ASSIGNED TO THE DEALER AGAINST WHOM THE ADVERSE ACTION IS TAKEN WITHOUT A COMPELLING BUSINESS JUSTIFICATION.”;

and after line 24, insert:

“(10) A dealer’s failure to comply with a [specific requirement of the manufacturer] MANUFACTURER’S or [distributor] DISTRIBUTOR’S SPECIFIC REQUIREMENTS FOR PROCESSING A CLAIM may not constitute grounds for denial of the claim or reduction of the amount of compensation paid to the dealer if the dealer presents REASONABLE documentation or other reasonable evidence to substantiate

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[that the repair and] the claim [were done according to manufacturer warranty guidelines].”.

On page 3, in line 22, strike the colon and substitute **“TO A CUSTOMER INFORMATION GIVEN TO THE DEALER BY A MANUFACTURER RELATED TO ANY CONDITION THAT MAY SUBSTANTIALLY AFFECT MOTOR VEHICLE SAFETY, DURABILITY, RELIABILITY, OR PERFORMANCE”.**

On pages 3 and 4, strike beginning with **“(I)”** in line 23 on page 3 down through **“WWW.SAFERCAR.GOV”** in line 2 on page 4.

On page 4, strike beginning with **“PARAGRAPH”** in line 3 down through **“DEALER”** in line 6 and substitute **“A DEALER MAY PROVIDE THE INFORMATION SPECIFIED IN PARAGRAPH (12) OF THIS SUBSECTION ONLY TO A CUSTOMER THAT HAS:**

(I) PURCHASED THE VEHICLE FOR WHICH THE INFORMATION PERTAINS FROM THE DEALER; OR

(II) HAD THE VEHICLE FOR WHICH THE INFORMATION PERTAINS SERVICED BY THE DEALER”;

and strike in their entirety lines 22 through 26, inclusive.

On page 6, in line 18, strike “2.” and substitute **“3.”**