

REVENUE:

FISCAL:

SUBSEQUENT REFERRAL TO:

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Action:

Vote:

Yeas:

Nays:

Exc.:

Prepared By: James LaBar, Administrator

Meeting Dates: 4/13

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**WHAT THE MEASURE DOES:** Prevents motor vehicle manufacturer, distributor or importer from taking certain adverse actions against motor vehicle dealer because dealer sold motor vehicle to customer that exported motor vehicle to another country or resold motor vehicle for export to another country. Specifies exceptions, including the dealer knowing or reasonably knowing that the customer intended to export or resell for export. Details the limit of the dealer knowing or reasonably knowing if the customer intended to export by presuming the dealer was unaware if the dealer sold the motor vehicle to a resident of the United States who registered and titled the motor vehicle in a state or district within the United States.

**ISSUES DISCUSSED:**

**EFFECT OF COMMITTEE AMENDMENT:**

*(-1 amendment)* Clarifies the franchise law regarding chargebacks on vehicle sales where the vehicle was later exported when the dealer does not know a vehicle was purchased for export. Changes the limit of the dealer knowing or reasonably knowing of intent to export to “A dealer that registers or causes a motor vehicle to be registered in this state or another state and that collects or causes to be collected any sales or use tax required in this state establishes a rebuttable presumption that the dealer did not have reason to know that the customer intended to export or resell the motor vehicle.”

**BACKGROUND:** Oregon law governs many aspects of the relationship between a motor vehicle dealer and the manufacturer, distributor or importer that grants the franchise to the dealer. Statute also defines the prohibited acts of a motor vehicle franchisor. Senate Bill 714 adds to the list of statutes.