

SB219_L.018

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Business, Labor, & Technology.SB18-219 be amended as follows:

- 1 Amend printed bill, page 3, line 26, strike "DEALER. "REPAIR" ALSO
- 2 INCLUDES" and substitute "DEALER".

- 3 Page 3, strike line 27.

- 4 Page 4, strike line 1.

- 5 Page 4, line 2, strike "LABOR".

- 6 Page 4, lines 14 and 15, strike "DIAGNOSING, REPAIRING, AND SERVICING"
- 7 and substitute "DIAGNOSING AND REPAIRING".

- 8 Page 4, line 15, strike "TO CORRECT AND DEFECT OR" and substitute
- 9 "PURSUANT TO".

- 10 Page 4, strike lines 16 through 19 and substitute "A WARRANTY, RECALL,
- 11 OR CERTIFIED PREOWNED WARRANTY,".

- 12 Page 4, line 20, strike "OBLIGATION,".

- 13 Page 4, line 21, strike "OR SERVICE COMMITMENT".

- 14 Page 4, line 23, strike "A" and substitute "AT A MOTOR VEHICLE DEALER'S
- 15 REQUEST, A" and strike "ITS" and substitute "THE".

- 16 Page 4, line 24, strike "DEALERS" and substitute "DEALER".

- 17 Page 4, strike lines 26 and 27 and substitute "THE MOTOR VEHICLE
- 18 DEALER.".

- 19 Page 5, line 6, strike "FIFTY" and substitute "ONE HUNDRED".

- 20 Page 5, line 15, strike "THIRTY" and substitute "NINETY".

- 21 Page 5, line 26, after "PERCENTAGE." add "IF THE RATES FROM THE
- 22 CALCULATION ARE SUBSTANTIALLY HIGHER OR LOWER THAN THE CURRENT
- 23 RATES, THE MANUFACTURER MAY REQUEST ADDITIONAL REPAIR ORDERS
- 24 FOR THE NINETY DAYS BEFORE OR AFTER THE SUBMITTED REPAIR ORDERS
- 25 FOR PURPOSES OF ALTERATION.".

- 26 Page 6, line 2, strike "SIXTY" and substitute "NINETY".

- 1 Page 6, line 6, strike "SIXTY" and substitute "NINETY".
- 2 Page 7, line 2, strike "REPAIRS DONE" and substitute "PARTS SOLD".
- 3 Page 7, line 4, after "FASTENERS," insert "TIRES,".
- 4 Page 7, strike line 6.
- 5 Renumber succeeding subparagraphs accordingly.
- 6 Page 7, line 14, strike "OR POLICY".
- 7 Page 7, line 19, after "OPERATORS," insert "BUT NOT INCLUDING" and
8 strike "COMPANIES," and substitute "COMPANIES".
- 9 Page 7, line 27, strike "SEMIANNUALLY," and substitute "ONCE WITHIN A
10 TWELVE-MONTH PERIOD,".
- 11 Page 8, line 3, strike "SEMIANNUALLY," and substitute "ONCE WITHIN A
12 TWELVE-MONTH PERIOD,".
- 13 Page 8, line 8, strike "INACCURATE," and substitute "INACCURATE OR
14 SUBSTANTIALLY DIFFERENT THAN THAT OF OTHER SIMILARLY SITUATED,
15 SAME LINE MAKE DEALERS IN THE VICINITY,".
- 16 Page 8, line 11, strike "FIFTEEN" and substitute "FORTY-FIVE".
- 17 Page 8, line 15, strike "A FULL AND DETAILED" and substitute "AN".
- 18 Page 8, strike line 17 and substitute "SUBJECT TO CONTEST;".
- 19 Page 9, line 3, strike "FIFTEEN" and substitute "FORTY-FIVE".
- 20 Page 9, line 8, strike "INCREASE IN" and substitute "CALCULATION OF".
- 21 Page 9, line 16, strike "JURISDICTION." and substitute "JURISDICTION OR
22 THE EXECUTIVE DIRECTOR NO LATER THAN SIXTY DAYS AFTER THE NEW
23 MOTOR VEHICLE DEALER RECEIVES THE MANUFACTURER'S CHALLENGE TO
24 THE DETERMINED RETAIL LABOR RATE OR RETAIL PARTS MARKUP
25 PERCENTAGE.".
- 26 Page 9, strike lines 17 through 20 and substitute:

- 1 "(II) IN A COURT PROCEEDING, THE COURT".
- 2 Page 9, line 26, strike "FIFTEEN" and substitute "THIRTY".
- 3 Page 10, line 12, strike "FIFTEEN" and substitute "THIRTY".
- 4 Page 10, line 20, strike "FAITH OR" and substitute "FAITH,".
- 5 Page 10, strike line 21.
- 6 Page 10, line 22, strike "MARKUP PERCENTAGE, THE COURT SHALL" and
7 substitute "THE COURT MAY".
- 8 Page 10, strike lines 26 and 27.
- 9 Page 11, strike lines 1 and 2.
- 10 Reletter succeeding paragraphs accordingly.
- 11 Page 11, line 3, strike "ELIMINATE FLAT-RATE TIMES OR".
- 12 Page 11, line 4, strike "AND ANY FLAT-RATE TIME THAT IS".
- 13 Page 11, strike lines 5 and 6.
- 14 Page 11, line 7, strike "(c) SHALLESTABLISHREASONABLE" and substitute
15 "NOR ESTABLISH UNREASONABLE".
- 16 Reletter succeeding paragraphs accordingly.
- 17 Page 11, line 16, strike "PRIMARILY" and substitute "SOLELY".
- 18 Page 11, line 19, after "NOT" insert "SOLELY".
- 19 Page 11, line 23, strike "A" and substitute "THE".
- 20 Page 11, line 24, strike "A" and substitute "THE".
- 21 Page 11, line 27, strike "A" and substitute "THE".
- 22 Page 12, line 1, strike "A" and substitute "THE".
- 23 Page 12, line 2, strike "A" and substitute "THE".

- 1 Page 12, strike lines 4 through 7.
- 2 Reletter succeeding paragraphs accordingly.
- 3 Page 12, line 13, strike "STATEMENTS;" and substitute "STATEMENTS."
- 4 Page 12, strike lines 14 through 16.
- 5 Page 12, lines 19 and 20, strike "BUSINESS IN ACCORDANCE WITH
- 6 ESTABLISHED PRACTICE." and substitute "BUSINESS."

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