

S.B. 51

NEW MOTOR VEHICLE FRANCHISE ACT AMENDMENTS

SENATE COMMITTEE AMENDMENTS

AMENDMENT 1

FEBRUARY 1, 2005 2:52 PM

Senator **Dan R. Eastman** proposes the following amendments:

1. *Page 8, Lines 224 through 229:*

224 (ii) if the order modifies or rejects a finding of fact in a recommendation from the
225 advisory board, shall be made on the basis of information learned from the executive director's:
226 (A) personal attendance at the hearing; ~~or~~
227 (B) review of the record developed at the hearing {~~;~~ ~~or~~} ~~.~~
228 {~~(C) consultation with the executive director's designee under Subsection~~
229 ~~13-14-103(1)(a), who attended the adjudicative proceeding.~~}

2. *Page 10, Lines 279 through 284:*

279 (1) (a) A person may commence an adjudicative proceeding in accordance with this
280 chapter and with Title 63, Chapter 46b, Administrative Procedures Act to:
281 (i) remedy a violation of this chapter; ~~[or]~~
282 (ii) obtain approval of an act regulated by this chapter~~[-]; or~~
283 (iii) obtain {~~a~~} ~~any~~ determination that this chapter specifically authorizes that person to
284 request.

3. *Page 15, Line 439:*

439 (ff) subject to {~~Subsection~~} ~~Subsections~~ (7) ~~through (9)~~ , discriminate against a
franchisee in the state in favor of