

13-14b-102 Definitions.

As used in this chapter:

- (1) "Audit" means a review by a supplier of a dealer's warranty claims records.
- (2) "Current net price" means the price charged to a dealer for repair parts as listed in the printed price list or catalog or invoice of the supplier in effect at the time a warranty claim is submitted.
- (3) "Dealer agreement" means an oral or written contract or an agreement of definite or indefinite duration, between a supplier and an equipment dealer that authorizes or requires the equipment dealer to perform services or supply parts under a warranty, or to do both.
- (4) "Equipment dealer" or "dealer" means a person or any other entity having a dealer agreement for selling and retailing:
 - (a) agricultural equipment;
 - (b) dairy and farmstead mechanization equipment;
 - (c) construction, utility, and industrial equipment;
 - (d) outdoor power equipment;
 - (e) lawn and garden equipment; or
 - (f) attachments or repair parts for equipment listed in Subsections (4)(a) through (e).
- (5)
 - (a) "Supplier" means a person or any other entity engaged in the manufacturing, assembly, or wholesale distribution of an item listed in Subsections (4)(a) through (f).
 - (b) "Supplier" includes:
 - (i) any successor in interest, including a purchaser of assets or stock; and
 - (ii) a surviving corporation resulting from a merger, liquidation, or reorganization of the original supplier that issued the warranty.
- (6) "Warranty claim" means a claim for payment submitted by an equipment dealer to a supplier for service or parts, or both, provided to a customer under a:
 - (a) warranty issued by the supplier; or
 - (b) recall or modification order issued by the supplier.

Enacted by Chapter 225, 2003 General Session