



# UTAH STATE SENATE

UTAH STATE CAPITOL COMPLEX • 320 STATE CAPITOL  
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February 17, 2012

Mr. President:

The Transportation and Public Utilities and Technology Committee recommends **S.B. 68**, NEW AUTOMOBILE FRANCHISE ACT AMENDMENTS, by Senator S. Jenkins, be replaced and favorably recommends **1st Sub. S.B. 68**, NEW AUTOMOBILE FRANCHISE ACT AMENDMENTS with the following amendments:

1. *Page 13, Line 390:*

390 incentive, or program that is offered to but declined **or not accepted** by a franchisee, even if a similar payment

2. *Page 14, Lines 402 through 410:*

402 (14) **(a)** Subsection (1)(pp)(i) does not apply to:  
403 ~~{(a)}~~ **(i)** signage purchased by a franchisee in which the franchisor has an  
intellectual  
404 property right; or  
405 ~~{(b)}~~ **(ii)** a good used in a facility construction, alteration, or remodel that  
is:  
406 ~~{(i)}~~ **(A)** a moveable interior display that contains material subject to a  
franchisor's  
407 intellectual property right; or  
408 ~~{(ii)}~~ **(B)** specifically eligible for reimbursement of over one-half its cost  
pursuant to a

Bill Number



SB0068S01

Action Class



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Action Code



SCRSUBAMD

409 franchisor or distributor program or incentive granted to the franchisee on reasonable, written  
410 terms.

**(b) Subsection (1)(pp)(ii) may not be construed to allow a franchisee to:**  
**(i) impair or eliminate a franchisor's intellectual property right; or**  
**(ii) erect or maintain a sign that does not conform to the franchisor's reasonable fabrication**  
**specifications and intellectual property usage guidelines.**

Respectfully,

Kevin T. Van Tassell  
Committee Chair

Voting: 5-0-0

7 SB0068.SC1.WPD lelder/LGE RHR/RCN 2/17/12 4:10 pm