

274 (2) In determining whether a new or relocated dealership is within a relevant market  
 275 area where the same line-make is represented by an existing dealership, the relevant market  
 276 area is measured from the closest property boundary line of the existing dealership to the  
 277 closest property boundary line of the new or relocated dealership.

278 [~~(2)~~] (3) (a) If a franchisor seeks to take an action listed in Subsection (1), [~~prior to~~]  
 279 before taking the action, the franchisor shall, in writing, notify the advisory board, ~~§~~→ the clerk  
 279a of ←§ each  
 280 affected municipality, and each franchisee in that line-make in the relevant market area.

281 (b) The notice required by Subsection [~~(2)~~] (3)(a) shall:

282 (i) specify the intended action described under Subsection (1);

283 (ii) specify the good cause on which it intends to rely for the action; and

284 (iii) be delivered by registered or certified mail or by any form of reliable delivery  
 285 through which receipt is verifiable.

286 [~~(3)~~] (4) (a) Except as provided in Subsection [~~(3)~~] (4)(c), the franchisor shall provide  
 287 to the advisory board, each affected municipality, and each franchisee in that line-make in the  
 288 relevant market area the following documents relating to the notice described under Subsection  
 289 [~~(2)~~] (3):

290 (i) (A) any aggregate economic data and all existing reports, analyses, or opinions  
 291 based on the aggregate economic data that were relied on by the franchisor in reaching the  
 292 decision to proceed with the action described in the notice; and

293 (B) the aggregate economic data under Subsection [~~(3)~~] (4)(a)(i)(A) includes:

294 (I) motor vehicle registration data;

295 (II) market penetration data; and

296 (III) demographic data;

297 (ii) written documentation that the franchisor has in [~~its~~] the franchisor's possession that  
 298 it intends to rely on in establishing good cause under Section 13-14-306 relating to the notice;

299 (iii) a statement that describes in reasonable detail how the establishment of a new  
 300 franchisee or the relocation of an existing franchisee will affect the amount of business  
 301 transacted by other franchisees of the same line-make in the relevant market area, as compared  
 302 to business available to the franchisees; and

303 (iv) a statement that describes in reasonable detail how the establishment of a new  
 304 franchisee or the relocation of an existing franchisee will be beneficial or injurious to the