

88 the area within a ~~15-mile~~ 10-mile radius from the site of the existing, new, or  
88a relocated dealership.

89 (14) "Sale, transfer, or assignment" means any disposition of a franchise or an interest  
90 in a franchise, with or without consideration, including a bequest, inheritance, gift, exchange,  
91 lease, or license.

92 (15) "Serve" or "served," unless expressly indicated otherwise by statute or rule,  
93 includes any reliable form of communication.

94 (16) "Written," "write," "in writing," or other variations of those terms shall include all  
95 reliable forms of electronic communication.

96 Section 2. Section **13-35-302** is amended to read:

97 **13-35-302. Issuance of additional franchises -- Relocation of existing franchisees.**

98 (1) (a) Except as provided in Subsection (2), a franchisor shall comply with Subsection  
99 (1)(b) if the franchisor seeks to:

100 (i) enter into a franchise establishing a powersport vehicle dealership within a relevant  
101 market area where the same line-make is represented by another franchisee; or

102 (ii) relocate an existing powersport vehicle dealership.

103 (b) (i) If a franchisor seeks to take an action listed in Subsection (1)(a), prior to taking  
104 the action, the franchisor shall in writing notify the advisory board and each franchisee in that  
105 line-make in the relevant market area that the franchisor intends to take an action described in  
106 Subsection (1)(a).

107 (ii) The notice required by Subsection (1)(b)(i) shall:

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

109 (B) be delivered by registered or certified mail or by any form of reliable delivery  
110 through which receipt is verifiable.

111 (c) Within 45 days of receiving notice required by Subsection (1)(b), any franchisee  
112 that is required to receive notice under Subsection (1)(b) may protest to the advisory board the  
113 establishing or relocating of the dealership. When a protest is filed, the department shall  
114 inform the franchisor that:

115 (i) a timely protest has been filed;

116 (ii) a hearing is required;

117 (iii) the franchisor may not establish or relocate the proposed dealership until the  
118 advisory board has held a hearing; and