

By: Representatives Miles, Franks, Markham

To: Transportation

HOUSE BILL NO. 364

1 AN ACT TO PROHIBIT FRANCHISORS OF MOTOR VEHICLES FROM FORCING
2 ACCEPTANCES OF PRODUCTS NOT ORDERED OR DESIRED; AND FOR RELATED
3 PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 SECTION 1. It shall be unlawful for any franchisor of motor
6 vehicles to coerce, or attempt to coerce, any franchisee to accept
7 delivery of any motor vehicle, parts, accessories, or any other
8 commodities connected therewith, which are not ordered by such
9 franchisee; nor withhold or delay delivery of motor vehicles out
10 of the ordinary course of business; nor discriminate against any
11 franchisee by the allocation or through the withholding from
12 delivery of certain models of motor vehicles ordered by a
13 franchisee out of the ordinary course of business; nor unfairly
14 change or amend unilaterally a franchisee's allotment of motor
15 vehicles or quota in a sales contest without reasonable cause.
16 Any franchisor who violates this section shall be liable for all
17 costs incurred by a franchisee as a result of such violation.

18 SECTION 2. This act shall take effect and be in force from
19 and after July 1, 1999.