

"FOREIGN VEHICLE" MEANS ANY VEHICLE THAT:

(1) IS OF A TYPE REQUIRED TO BE REGISTERED UNDER TITLE 13 OF THIS ARTICLE;

(2) IS BROUGHT INTO THIS STATE FROM ANY OTHER STATE OR COUNTRY, OTHERWISE THAN IN THE ORDINARY COURSE OF BUSINESS BY OR THROUGH A MANUFACTURER, DISTRIBUTOR, OR DEALER; AND

(3) IS NOT REGISTERED IN THIS STATE.

REVISOR'S NOTE: This section presently appears as Art. 66 1/2, §1-130.

In item (2) of this section, reference to a "distributor" is added to correct an apparently unintended omission in the present section.

The only other changes are in style.

11-125. FRANCHISE.

"FRANCHISE" MEANS A WRITTEN ARRANGEMENT, WHETHER OR NOT FOR A DEFINITE PERIOD, IN WHICH A MANUFACTURER, DISTRIBUTOR, OR FACTORY BRANCH, GRANTS TO A DEALER OR DISTRIBUTOR A LICENSE OR RIGHT TO USE A TRADE NAME, TRADEMARK, SERVICE MARK, OR RELATED CHARACTERISTIC IN THE SALE, LEASING, OR SERVICING OF NEW VEHICLES.

REVISOR'S NOTE: This section presently appears as Art. 66 1/2, §1-130.1.

The present, unduly limiting reference to "Class A or Class B" vehicles is deleted. This definition originally was enacted by Ch. 544, Acts of 1972, for purposes of present Art. 66 1/2, §§ 5-706 and 5-709, added by the same Act. Those sections - which now appear in Title 15, Subtitle 2 of this article - related only to those franchises that were with manufacturers, distributors, and factory branches dealing in new Class A and Class B vehicles. However, at least one preexisting section of then Art. 66 1/2, (present §3-113.1; revised §13-113.1 of this article) and one more recently enacted section (present §3-113.1A; revised as §13-113.2 of this article) refer to a "franchise" in contexts that clearly are not intended to be limited to these two classes of vehicles alone (see, e.g., present §3-113.1A(b)(1)). Accordingly, this definition, absent the limiting clause, is retained to assure a basic, uniform meaning of the term, as used throughout the Maryland Vehicle Law.