

**Article - Commercial Law**

19-101.

(a) In this title, unless the context requires otherwise, the following words have the meanings indicated.

(b) ["Construction", "farm", "industrial", and "outdoor power", when used to refer to tractors, implements, attachments, or repair parts, have the meanings commonly used and understood among dealers and suppliers of those trades.

(c) "Contract" means a written or oral contract or agreement between a dealer and a [supplier] WHOLESALER, MANUFACTURER, OR DISTRIBUTOR by which:

(1) The dealer is granted the right to sell OR DISTRIBUTE [the supplier's equipment] GOODS OR SERVICES; [and] OR

(2) The dealer [is required to order and maintain an inventory in excess of \$25,000 at current net price from the supplier] IS GRANTED THE RIGHT TO USE A TRADE NAME, TRADEMARK, SERVICE MARK, LOGO TYPE, OR ADVERTISING OR OTHER COMMERCIAL SYMBOL.

(C) "CURRENT MODEL" MEANS A MODEL LISTED IN A WHOLESALER'S, MANUFACTURER'S, OR DISTRIBUTOR'S CURRENT SALES MANUAL OR A SUPPLEMENT TO THE CURRENT SALES MANUAL.

(d) "Current net price" means the price listed in the supplier's price list OR CATALOG in effect at the time the contract agreement is terminated, less any applicable discount allowed.

(e) "Dealer" means a [person:

(1) Engaged] PERSON ENGAGED in the business of [selling, at retail,] SELLING AT RETAIL construction, farm, [industrial, or outdoor power] UTILITY, OR INDUSTRIAL [equipment;

(2) Maintaining a total inventory, valued at over \$50,000, of new equipment and repair parts; and

(3) Providing repair service for the equipment sold] EQUIPMENT, IMPLEMENTS, MACHINERY, ATTACHMENTS, OUTDOOR POWER EQUIPMENT, OR REPAIR PARTS.

(F) "FAMILY MEMBER" MEANS A SPOUSE, SIBLING, PARENT, GRANDPARENT, CHILD, GRANDCHILD, MOTHER-IN-LAW, FATHER-IN-LAW, DAUGHTER-IN-LAW, SON-IN-LAW, STEPPARENT, OR STEPCHILD, OR A LINEAL DESCENDANT OF THE DEALER OR PRINCIPAL OWNER OF THE DEALERSHIP.

(G) "GOOD CAUSE" MEANS FAILURE BY A DEALER TO COMPLY WITH REQUIREMENTS IMPOSED ON THE DEALER BY A CONTRACT IF THE REQUIREMENTS ARE NOT DIFFERENT FROM REQUIREMENTS IMPOSED ON OTHER DEALERS SIMILARLY SITUATED IN THE STATE.