

(G) STATE OR FEDERAL REGISTRATION OF INTELLECTUAL PROPERTY IS PRIMA FACIE EVIDENCE THAT THE INTELLECTUAL PROPERTY IS A TRADEMARK OR TRADE NAME.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1996.

Approved May 23, 1996.

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**CHAPTER 583**

**(Senate Bill 428)**

AN ACT concerning

**Vehicle Laws – Vehicle Dealer Franchises and Manufacturers, Distributors, and Factory Branches**

FOR the purpose of prohibiting a manufacturer, distributor, or factory branch from imposing certain requirements on a dealer relating to the utilization of the dealer's facilities or the adherence by the dealer to certain performance standards; establishing certain requirements for performance standards; prohibiting a franchise agreement or other contract offered to a dealer by a manufacturer, distributor, or factory branch from containing certain provisions; defining a certain term to include certain actions by a manufacturer, distributor, or factory branch thereby prohibiting those actions during the term of the franchise and upon its renewal except under certain circumstances; authorizing a dealer, without the prior consent of a manufacturer, distributor, or factory branch, to designate a successor to the dealership in the event of the death or incapacity of the dealer; requiring the dealer to provide certain notice of the designation of a successor to the manufacturer, distributor, or factory branch; prohibiting a manufacturer, distributor, or factory branch from exercising a certain right of first refusal under certain circumstances or preventing the dealer from designating a successor under this Act; providing for a certain hearing when a manufacturer, distributor, or factory branch objects to the designation of a successor by a dealer under this Act and providing for the right to appeal an adverse ruling of the hearing officer authorizing a designated family member to succeed a dealer in the ownership or operation of the dealership under certain circumstances; requiring the designated family member to provide a certain notice; requiring the designated family member to provide certain information; establishing that a manufacturer, distributor, or factory branch may refuse to honor a franchise agreement with a designated family member for good cause; requiring a manufacturer, distributor, or factory branch to provide notice to a designated family member in certain situations; authorizing dealers to make certain designations; establishing a general right to a hearing to resolve certain disputes between a dealer or designated dealer successor and a manufacturer, distributor, or factory branch and requiring the hearing officer to consider certain facts in making a determination regarding the dispute; defining