

to a requirement that vehicle manufacturers, distributors, and factory branches act in good faith.

BY adding to

Article - Transportation

Section 15-206.1

Annotated Code of Maryland

(1999 Replacement Volume and 2000 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Transportation

15-206.1.

(A) IN THIS SECTION, "GOOD FAITH" MEANS HONESTY IN FACT AND THE OBSERVANCE OF REASONABLE COMMERCIAL STANDARDS OF FAIR DEALING IN THE TRADE.

(B) A MANUFACTURER, DISTRIBUTOR, OR FACTORY BRANCH, WHETHER DIRECTLY OR THROUGH AN AGENT, EMPLOYEE, OR REPRESENTATIVE, MAY NOT FAIL TO ACT IN GOOD FAITH:

(1) IN ACTING OR PURPORTING TO ACT UNDER THE TERMS, PROVISIONS, OR CONDITIONS OF ANY FRANCHISE AGREEMENT; OR

(2) IN ANY TRANSACTION OR CONDUCT GOVERNED BY THIS SUBTITLE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be applicable to any franchise agreement in existence on or after the effective date of this Act.

~~SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall be construed prospectively only, except that it may be interpreted to apply to any lawsuit, appeal, or legal proceeding filed on or after March 1, 2001.~~

SECTION 4. ~~3.~~ AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2001.

May 17, 2001

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
State House
Annapolis MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have today vetoed Senate Bill 487 - Procurement - University System of Maryland - Construction Contracts.