

3. A representative sample was chosen; and
4. The data was accurately reported.

(ii) The manufacturer, distributor, or factory branch shall establish the objectivity of the survey process and provide this information to any dealer of the same line make covered by the survey on request.

(f) A franchise agreement or other contract offered to a dealer by a manufacturer, distributor, or factory branch may not contain any provision requiring a dealer to pay the attorney's fees of the manufacturer, distributor, or factory branch related to disputes involving the franchise.

~~SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be interpreted as superseding the construction and interpretation of § 15-207 of the Transportation Article as set forth in the Memorandum and Order of the United States District Court of Maryland dated December 2, 1996, in the case of Colonial Dodge, Inc., et al. v. Chrysler Corporation (Civil Action No. CCB-95-592) and the opinion of the Court of Special Appeals of Maryland in Antwerpen Dodge, Ltd., et al. v. Herb Gordon Auto World, Inc., 117 Md. App. 200 (1997), and that § 15-207 of the Transportation Article as enacted by this Act shall not be construed or interpreted in accordance with the interpretations under these decisions.~~

SECTION 3. 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply to any franchise agreement in effect on or entered into on or after July 1, 1998.

SECTION 4. 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1998.

Approved May 21, 1998.

CHAPTER 609

(Senate Bill 426)

AN ACT concerning

Residential and Nonresidential Child Care Centers and Nonpublic General Education Schools - ~~Per-Child~~ Rate Settings

FOR the purpose of requiring certain ~~private residential and nonresidential child care programs and certain nonpublic general education schools licensed or approved by certain State agencies to establish per child rates per service, subject to the State's allowable cost policy; requiring certain residential and nonresidential child care programs and certain nonpublic general education schools to submit per child rates per service to the Special Secretary for Children, Youth, and Families by a certain date; requiring the Special Secretary to provide appropriate forms and instructions for the submission of rates and changes in rates; requiring the Special Secretary to publish the per child rates per service~~