

Legislative Analysis



CAR DEALER HOURS OF OPERATION

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Senate Bill 128 (S-1) as passed by the Senate
Sponsor: Sen. Kimberly LaSata
House Committee: Regulatory Reform
Senate Committee: Regulatory Reform
Complete to 6-14-21

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

Senate Bill 128 would amend the Michigan Vehicle Code to revise the regular hours of operation that must be maintained under the definition of *established place of business* by a business establishment selling new or used vehicles.

Established place of business means premises actually occupied either continuously or at regular periods by a dealer or manufacturer, where its books and records are kept and at which a large share of its business is transacted.

Currently, in defining the term *established place of business*, the code provides that, for a Class A dealer (new vehicles) or Class B dealer (used vehicles), the term means premises that contain a conspicuous posting of the dealer's regular hours of operation. The posted hours are required to be at least 30 hours per week.

The bill would instead require the posted hours to be at least 30 hours per week for at least 48 weeks per year. Fifteen of the 30 hours per week would have to be between the hours of 8 a.m. and 5 p.m., Monday through Friday. The dealer could change its posted hours of operation to be less than the required 30 hours per week, but only for up to four weeks. The dealer would have to notify the Department of State at least seven days before the change. The department would have to waive the seven-day notification requirement for good cause, such as a medical emergency or other extenuating circumstances.

The bill would take effect 60 days after its enactment.

MCL 257.14

FISCAL IMPACT:

The bill would have no fiscal impact on the state or local units of government.

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