

RECREATIONAL VEHICLE FRANCHISE ACT (EXCERPT)
Act 33 of 2009

***** 445.1923.new THIS NEW SECTION IS EFFECTIVE DECEMBER 1, 2009 *****

445.1923.new Definitions.

Sec. 3. As used in this act:

(a) "Area of sales responsibility" means a geographical area agreed to by a dealer and the manufacturer in a dealer agreement in which the dealer has the exclusive right to display or sell the manufacturer's new recreational vehicles of a particular line-make to the public.

(b) "Dealer" means a person that is a dealer, as that term is defined in section 11 of the Michigan vehicle code, 1949 PA 300, MCL 257.11, and is licensed as a dealer of recreational vehicles under that act.

(c) "Dealer agreement" means a written agreement or contract entered into between a manufacturer and a dealer that establishes the legal rights and obligations of the parties to that agreement or contract and pursuant to which the dealer is authorized to sell new recreational vehicles manufactured or distributed by the manufacturer.

(d) "Department" means the department of state.

(e) "Factory campaign" means an effort by a warrantor to contact recreational vehicle owners or dealers in order to address an issue concerning a problem or defective part or equipment.

(f) "Family member" means any of the following:

(i) A spouse of an individual.

(ii) A child, grandchild, parent, sibling, niece, or nephew of an individual.

(iii) The spouse of a child, grandchild, parent, sibling, niece, or nephew of an individual.

(g) "Line-make" means a specific series of recreational vehicle products that meet all of the following:

(i) Are identified by a common series trade name or trademark.

(ii) Are targeted to a particular market segment based on their decor, features, equipment, size, weight, and price range.

(iii) Have dimensions and interior floor plans that distinguish the recreational vehicles from recreational vehicles that have substantially the same decor, features, equipment, weight, and price.

(iv) Belong to a single, distinct classification of recreational vehicle product type that has a substantial degree of commonality in the construction of the chassis, frame, and body.

(v) Are authorized for sale by the dealer in the dealer agreement.

(h) "Manufacturer" means a person that manufactures or wholesales recreational vehicles or that distributes or wholesales recreational vehicles to dealers.

(i) "Park model trailer" means that term as defined in section 38a of the Michigan vehicle code, 1949 PA 300, MCL 257.38a.

(j) "Person" means an individual, partnership, corporation, limited liability company, association, trust, estate, or other legal entity.

(k) "Proprietary part" means a recreational vehicle part manufactured by or for and sold exclusively by a manufacturer.

(l) "Public vehicle show" means a recreational vehicle show that meets the requirements of section 248(10) of the Michigan vehicle code, 1949 PA 300, MCL 257.248.

(m) "Recreational vehicle" means that term as defined in section 49a of the Michigan vehicle code, 1949 PA 300, MCL 257.49a, except a park model trailer.

(n) "Transient customer" means a person who owns a recreational vehicle, is temporarily traveling through a dealer's area of sales responsibility, and engages the dealer to perform service work on that recreational vehicle.

(o) "Warrantor" means a manufacturer or any other person that provides a warranty to the consumer in connection with a new recreational vehicle or parts, accessories, or components of a new recreational vehicle. The term does not include a person that provides a service contract, mechanical or other insurance, or an extended warranty sold for separate consideration by a dealer or other person not controlled by a manufacturer.

History: 2009, Act 33, Eff. Dec. 1, 2009.