



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bill 362 (Substitute S-1 as reported)
Senate Bill 363 (Substitute H-1 as reported)
Sponsor: Senator Jim Barcia (S.B. 362)
 Senator Jason E. Allen (S.B. 363)
Committee: Commerce and Tourism

CONTENT

Senate Bill 362 (S-1) would create the "Recreational Vehicle Franchise Act" to do the following:

- Prohibit a manufacturer or a dealer from selling a recreational vehicle (RV) in Michigan without a dealer agreement.
- Prohibit a manufacturer or dealer from terminating or declining to renew a dealer agreement without good cause.
- Prescribe procedures for the termination or nonrenewal of an agreement.
- Require a dealer to notify a manufacturer of a proposed transaction that would result in a change of ownership, and give the manufacturer an opportunity to object.
- Prescribe a warrantor's obligations to a dealer.
- Prohibit specified actions by a warrantor or dealer.
- Prescribe procedures a dealer and manufacturer would have to follow if a dealer received damaged RVs.
- Prohibit coercive actions by a manufacturer.
- Allow a dealer, manufacturer, or warrantor to bring a civil action for a violation of the proposed Act.
- Require the parties to a dispute to attempt mediation before bringing a civil action.
- Allow a party to apply for an injunction or other equitable relief for specified violations, in addition to any other available remedy.

Senate Bill 363 (S-1) would amend the Michigan Vehicle Code to include park model trailers in provisions regarding the transport of mobile homes.

"Park model trailer" would mean a vehicle that meets all of the following:

- Is built on a single chassis, mounted on wheels, and designed to be towed by a motor vehicle from time to time.
- Requires a mobile home permit to be towed on a street or highway.
- Is designed to provide recreational seasonal or temporary living quarters.
- When used as recreational seasonal or temporary living quarters, may be connected to utilities necessary for the operation of installed fixtures and appliances.
- Is not a mobile home under the Mobile Home Commission Act.

The Code prescribes the maximum dimensions of a mobile home being towed on a street or highway, provides for special permits for the towing of a mobile home that exceeds the

maximum dimensions, prescribes other requirements for the transport of a mobile home, and authorizes the State Transportation Commission to order the Michigan Department of Transportation to cease issuing the permits under certain conditions. A person who violates these provisions is responsible for a civil infraction and may be assessed a civil fine of up to \$500. Under the bill, these provisions also would apply to the towing of a park model trailer.

The bills are tie-barred to each other and would take effect on December 1, 2009.

MCL 257.216 et al. (S.B. 362)

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bills would have no fiscal impact on State or local government.

Date Completed: 3-25-09

Fiscal Analyst: Joe Carrasco
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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.