



**WISCONSIN LEGISLATIVE COUNCIL
AMENDMENT MEMO**

2009 Senate Bill 302

Senate Amendments 1 and 2

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Contact: Don Salm, Senior Staff Attorney (266-8540)

2009 Senate Bill 302 creates provisions governing the relationship between powersports vehicle manufacturers and distributors, including their agents, officers, factory representatives, and affiliates (collectively referred to as franchisors), and powersports vehicle dealers (dealers). Under the bill, a powersports vehicle is an all-terrain vehicle, snowmobile, lightweight utility vehicle, personal watercraft, or off-road motorcycle. The bill imposes numerous restrictions on franchisors, including prohibiting franchisors from doing any of numerous specified things, including reimbursing anyone other than an authorized dealer for warranty service.

SENATE AMENDMENT 1

With reference to the prohibition in the bill from reimbursing anyone other than an authorized dealer for warranty service, Senate Amendment 1 requires that **the warranty service shall be performed by a certified technician who has received training as prescribed by the powersports vehicle manufacturer.**

SENATE AMENDMENT 2 (OFFERED BY SENATOR HANSEN)

Under Senate Bill 302, “powersports vehicle dealer” **does not include** any dealer licensed under subchapter I of ch. 218, Stats. (Motor Vehicle Dealers and Salespersons) with respect to any category of powersports vehicle for which that license applies or any dealer located outside the state.

Senate Amendment 2 changes this provision to specify that “powersports vehicle dealer” does not include any of the following”:

- Any dealer licensed under subch. I of ch. 218 (Motor Vehicle Dealers and Salespersons) with respect to any category of powersports vehicle for which that license applies or any dealer located outside the state.

- **Any dealer that derives less than 50% of its revenues from sales of powersports vehicles.**

Legislative History

At an executive session on April 1, 2010, the Senate Committee on Transportation, Tourism, Forestry, and Natural Resources voted to adopt Senate Amendment 1 to the bill, and to recommend passage of the bill as amended, both on votes of Ayes, 6; Noes 1. Subsequently, Senator Hansen offered Senate Amendment 2 to the bill.

On April 13, 2010, the Senate adopted Senate Amendments 1 and 2, and passed the bill, as amended, on a vote of Ayes, 25; Noes, 8.

DLS:jal