

1 AMENDMENT TO HOUSE BILL 2564

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 2564 on page 1,  
3 line 26 by inserting after "hereunder" the following:

4 "for a remedy under paragraph (6) of subsection (d) or  
5 paragraph (6), (8), (10) or (11) of subsection (e) of Section  
6 4 of this Act"; and

7 on page 2, by replacing lines 5 and 6 with the following:

8 "provision of Section 4 (other than paragraph (6) of  
9 subsection (d) or paragraph (6), (8), (10) or (11) of  
10 subsection (e) of Section 4), 5, 6, 7, 9, 10.1, or 11 of this  
11 Act; however, if notice of the provision under which the  
12 determination has been made is not given by the franchiser,  
13 then the proceeding shall be commenced as provided by Section  
14 14 of this Act."; and

15 on page 2, line 29 by changing "dispute," to "dispute<sub>7</sub>"; and

16 on page 2, line 30 by inserting after "11" the following:

17 "of this Act to arbitration under subsection (a), then a  
18 proceeding before the Motor Vehicle Review Board as  
19 prescribed by subsection (c) or (d) of Section 12 and Section  
20 29 of this Act for a remedy other than damages under  
21 paragraph (6) of subsection (d) or paragraph (6), (8), (10),  
22 or (11) of subsection (e) of Section 4 of this Act shall be

1 commenced upon receipt by the Motor Vehicle Review Board of a  
 2 timely notice of protest or within 60 days of the date the  
 3 franchisee received notice in writing by the franchiser of  
 4 its determination under any provision of those Sections other  
 5 than paragraph (6) of subsection (d) or paragraph (6), (8),  
 6 (10), or (11) of subsection (e) of Section 4 of this Act;  
 7 however, if notice of the provision under which the  
 8 determination has been made is not given by the franchiser,  
 9 then the proceeding shall be commenced as provided by Section  
 10 14 of this Act."; and

11 on page 3, by replacing lines 4 through 13 with the  
 12 following:

13 ~~"model-vehicles, to arbitration under (a), a proceeding for a~~  
 14 ~~remedy other than damages shall be commenced upon receipt of~~  
 15 ~~a timely notice of protest under paragraph (6) of subsection~~  
 16 ~~(d) or paragraph (6), (8), or (10) of subsection (e) of~~  
 17 ~~Section 4 of this Act, before the Motor Vehicle Review Board~~  
 18 ~~as prescribed by Sections 12 and 29 of this Act."~~; and

19 on page 7, by replacing lines 26 and 27 with the following:

20 "(8), or (10), or (11) of subsection (e) of Section 4 of this  
 21 Act, then a proceeding for a remedy other than damages may  
 22 ~~shall~~ be"; and

23 on page 7, by replacing lines 32 through 34 with the  
 24 following:

25 "its determination under any provision of this Act other than  
 26 paragraph (6) of subsection (d) or paragraph (6), (8), (10),  
 27 or (11) of subsection (e) of Section 4 of this Act; however,  
 28 if notice of the provision under which the determination has  
 29 been made is not given by the franchiser, then the proceeding  
 30 shall be commenced as provided by Section 14 of this Act. the  
 31 ~~aforsaid-Sections, or as otherwise prescribed by Section 13~~  
 32 ~~of this Act."~~; and

1 on page 8, by replacing lines 19 through 22 with the  
2 following:

3 "relief, in the circuit court of the county in which the  
4 objecting franchisee has its principal place of business or,  
5 if the parties have so agreed, in arbitration. If the  
6 misconduct is willful or wanton, treble damages may be  
7 awarded. ~~Where the misconduct is willful or wanton, the court~~  
8 ~~may award treble damages.~~ A motor vehicle dealer, if it has  
9 not suffered any"; and

10 on page 10, line 7 by inserting after "protest" the  
11 following:

12 "filed with the Motor Vehicle Review Board"; and

13 on page 12, line 31 by changing "or (10)" to "~~or~~ (10), or  
14 (11)".