

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 HOUSE BILL 1789

By: Kerbs

4
5
6 AS INTRODUCED

7 An Act relating to motor vehicles; amending 47 O.S.
8 2021, Section 596.3, as amended by Section 23,
Chapter 29, O.S.L. 2023 (47 O.S. Supp. 2024, Section
9 596.3), which relates to dealer sales responsibility;
10 modifying requirements for certain off-premises
sales; prohibiting denial of certain permit; and
providing an effective date.

11
12
13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. AMENDATORY 47 O.S. 2021, Section 596.3, as
15 amended by Section 23, Chapter 29, O.S.L. 2023 (47 O.S. Supp. 2024,
16 Section 596.3), is amended to read as follows:

17 Section 596.3. A. All of the following conditions shall apply
18 to the area of sales responsibility of a dealer included in a dealer
19 agreement between a manufacturer and a dealer:

20 1. The manufacturer shall designate in the dealer agreement the
21 area of sales responsibility exclusively assigned to the dealer;

22 2. The manufacturer shall not change the area of sales
23 responsibility of a dealer or establish another dealer for the same
24 line-make in that area during the term of the dealer agreement; and

1 3. The area of sales responsibility may not be reviewed or
2 changed without the consent of both parties until one (1) year after
3 the execution of the dealer agreement.

4 B. A Aside from sanctioned or unsanctioned recreational vehicle
5 shows detailed in subsection C of this section, a dealer shall not
6 conduct sales activity or display for sale recreational vehicles
7 outside of its designated area of sales responsibility.

8 C. A dealer may sell off-premises ~~within the area of sales~~
9 ~~responsibility~~ of the dealer under the following circumstances:

10 1. At sanctioned recreational vehicle shows where the sales
11 event is held off-premises and ~~at least sixty-seven percent (67%) of~~
12 ~~the recreational vehicle dealers that are located within a sixty-~~
13 ~~mile radius of the location of the show participate in the show is~~
14 either inside or outside of the dealer's manufacturer-approved area
15 of responsibility. A sanctioned recreational vehicle show may be
16 held only under the following conditions:

- 17 a. the sponsoring entity of the sales event shall obtain
18 a permit from the Oklahoma New Motor Vehicle
19 Commission at the rate of Two Hundred Dollars
20 (\$200.00) per event. The permit shall be for a period
21 not to exceed ten (10) consecutive days,
- 22 b. dealer permits for a sanctioned recreational vehicle
23 show described in this paragraph shall be obtained
24 from the Commission at a rate of Fifteen Dollars

1 (\$15.00) for each motor home per sanctioned
2 recreational vehicle show,

3 c. ~~new recreational vehicle dealers whose manufacturer-~~
4 ~~approved area of responsibility includes the event~~
5 ~~location shall be eligible to participate in the~~
6 ~~sanctioned recreational vehicle show~~ a dealer shall
7 not be denied a permit on the grounds that the sales
8 promotion is to be held within the relevant market
9 area of another dealer of the same line-make,

10 d. new recreational vehicle dealers shall obtain written
11 approval from the manufacturer or distributor to
12 participate in the sanctioned recreational vehicle
13 show, and

14 e. the sanctioned recreational vehicle show shall be
15 conducted within municipal, county, or state-owned or
16 controlled facilities or within the grounds of any
17 county, district, or state fair; and

18 2. At nonsanctioned recreational vehicle shows where one or
19 more dealers may sell recreational vehicles off-premises under the
20 following conditions:

21 a. dealer permits for a nonsanctioned recreational
22 vehicle show described in this paragraph shall be
23 obtained from the Commission at a rate of Fifteen
24

1 Dollars (\$15.00) for each recreational vehicle per
2 nonsanctioned recreational vehicle show,

3 b. the location of the nonsanctioned recreational vehicle
4 show ~~shall~~ may be within or outside of the
5 manufacturer-approved area of responsibility,

6 c. the nonsanctioned recreational vehicle show shall
7 occur no more than five (5) consecutive days per
8 event, excluding county, district, or state fairs,

9 d. each dealer may participate in no more than eight
10 nonsanctioned recreational vehicle shows per calendar
11 year, and

12 e. nonsanctioned recreational vehicle shows shall be held
13 on privately owned property no closer than two and
14 one-half (2 1/2) miles to any other nonparticipating
15 recreational vehicle dealer; provided, however, a
16 nonsanctioned recreational vehicle show may be held on
17 county or municipally owned property with no mileage
18 barrier restriction.

19 D. A dealer may display a recreational vehicle within the
20 designated area of responsibility of the dealer for promotional
21 purposes. At an off-premises display event, no sales activities
22 shall be conducted including, but not limited to, negotiations,
23 financing, and accepting credit applications. Sales or finance
24 personnel shall not be permitted to participate at an off-premises

1 display event. A permit for the off-premises display event shall
2 not be required.

3 E. A dealer agreement shall include a designated principal of
4 the dealer. A dealer agreement may identify a family member as the
5 successor of the principal or include a succession plan of the
6 dealer. A dealer may at any time change a designation or succession
7 plan made in the dealer agreement by providing written notice to the
8 manufacturer.

9 SECTION 2. This act shall become effective November 1, 2025.

10

11 60-1-10062 JBH 11/07/24

12

13

14

15

16

17

18

19

20

21

22

23

24