

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 515

Short Title: MV Dealers Relevant Market Area.

(Public)

Sponsors: Representatives Clary; Carpenter, Kiser, McComas, Morgan, Rayfield, Reynolds, Sexton, Snowden, and Weatherly.

Referred to: Business and Labor.

March 22, 1995

A BILL TO BE ENTITLED
AN ACT TO CLARIFY THE DEFINITION OF THE TERM "RELEVANT MARKET
AREA" IN THE MOTOR VEHICLE DEALERS AND MANUFACTURERS
LICENSING LAW.

The General Assembly of North Carolina enacts:

Section 1. Subdivision (13b) of G.S. 20-286 reads as rewritten:

"(13b) Relevant market area or trade area. – The area within a radius of 20 miles around an existing dealer or the area of responsibility defined in the franchise, whichever is greater; except that, where a manufacturer is seeking to establish an additional new motor vehicle dealer the relevant market area shall be as follows:

- a. If the population in an area within a radius of 10 miles around the proposed site is 250,000 or more, the relevant market area shall be that area within the 10 mile radius; or
- b. If the population in an area within a radius of 10 miles around the proposed site is less than 250,000, but the population in an area within a radius of 15 miles around the proposed site is 150,000 or more, the relevant market area shall be that area within the 15 mile radius; or

1 c. Except as defined in subparts a. and b., the relevant market area
2 shall be the area within a radius of 20 miles around an existing
3 dealer.

4 In determining population for this definition the most recent census by
5 the U.S. Bureau of the Census or the most recent population update
6 either from ~~the National Planning Data Corporation~~ Claritas Inc. or other
7 similar recognized source shall be accumulated for all census tracts
8 either wholly or partially within the relevant market area. In
9 accumulating population for this definition, block group and block level
10 data shall be used to apportion the population of census tracts which are
11 only partially within the relevant market area so that population outside
12 of the applicable radius is not included in the count."

13 Sec. 2. This act is effective upon ratification and shall not affect pending
14 litigation.