1	Attorney(s) name(s) and state bar number		
2	Law Firm Address		
3	Telephone number Facsimile number		
4	E-mail address		
5	Attorney(s) for Protestant		
6			
7	SAMPLE PROTEST		
8	<b>3072 Relocation</b>		
9	STATE OF CALIFORNIA		
10	NEW MOTOR VEHICLE BOARD		
11	In the Matter of the Protest of	Protest No. (leave blank)	
12	NAME OF DEALERSHIP/FRANCHISEE,		
13	Protestant,	<b>DDOTE</b> OT	
14	V.	PROTEST	
15	NAME OF MANUFACTURER/DISTRIBUTOR/ [Vehicle Code §3072]		
16			
17	Respondent.		
18			
19			
20	Protestant, [enter Protestant's name], files this protest under the provisions of California Vehicle		
21	Code section 3072 and alleges as follows:		
22	1. Protestant is a new recreational vehicle dealer selling [enter line-make] and is located at		
23	[address of dealership]. Protestant's telephone number is [enter telephone number].		
24	2. Respondent distributes/manufactures	[enter line-make] products and is the franchisor of	
25	Protestant.		
26	3. Protestant is represented in this matter by [Name of Attorney or Protestant's Dealer		
27	Principal or authorized representative], whose address is [enter address] and telephone number is [enter		
28	telephone number].		
		1	
	PROTEST [VEHICLE CODE §3072 (RELOCATIONS)]		

1	4.	On or about [enter date], Protestant received from Respondent a notice that Respondent	
2	intends to relocate [name of dealer to be relocated] to [proposed location].		
3	[Note: the protest needs to be filed with the Board within 20 days of receipt of the notice] <sup>1</sup>		
4	5.	Protestant is located within the relevant market area of the proposed location.	
5	6.	There is good cause under the existing circumstances for not permitting the relocation of	
6	the dealership, the reasons for which include the following:		
7	(a)	Protestant has made a substantial and permanent investment in the dealership.	
8	(b)	There will be an adverse effect upon the retail recreational vehicle business and the	
9	consuming public in the relevant market area.		
10	(c)	It would be injurious to the public welfare for the franchise to be relocated.	
11	(d)	The [enter line-make] franchisees in the relevant market area are providing adequate	
12	2 competition and convenient consumer care for [enter line-make] vehicles including adequate recreational		
13	vehicle sales and, if required by the franchise, service facilities, equipment, supply of vehicle parts, and		
14	qualified service personnel.		
15	(e)	The relocation of the franchise would not be in the public interest.	
16	(f)	Other circumstances that would support the claim that there is good cause not to allow the	
17	proposed relocation.		
18	7.	Protestant and its attorney(s) desire to appear before the Board and estimate that the	
19	hearing in this matter will take [enter number of days] days to complete.		
20	8.	A Pre-Hearing Conference is requested.	
21	WHE	EREFORE, Protestant prays as follows:	
22	1.	That the Board (or its authorized representative) immediately advise Respondent that a	
23	protest has been filed;		
24	2.	That a hearing of the Protest is required pursuant to Vehicle Code section 3080; and,	
25	///		
26	///		
27			
28	<sup>1</sup> If, within this period of time, a franchisee files with the Board a request for additional time to file a protest, the Board or its Executive Director, upon a showing of good cause, may grant an additional 10 days to file the protest. 2		
	PROTEST [VEHICLE CODE §3072 (RELOCATIONS)]		
I	1		

1	3. That, pursuant to Vehicle Code sections 3072 and 3073, Respondent may not relocate the		
2	dealership if the Board determines that there is good cause for not permitting the relocation of the existing		
3	dealership.		
4			
5	Date: [enter date]		
6	By [signature]		
7	Attorney(s) name(s)		
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20	THE PROTEST MAY NOT BE PROCESSED WITHOUT AN ATTACHED PROOF OF SERVICE AND THE \$200.00 FILING FEE		
21	PAID BY CHECK OR BY PHONE WITH A CREDIT CARD (916-445-1888)		
22			
23			
24			
25	<b>DISCLAIMER:</b> This sample provides a basic means for drafting a document for filing with the		
26	Board, but the sample should not be mistaken as a substitute for personalized advice from a qualified attorney or other person sufficiently knowledgeable to represent parties before the		
27	Board. The Board strives to provide relevant, accurate and complete information. However, the Board cannot and does not warrant the relevancy, accuracy, completeness or propriety of the		
28	information provided in this sample.		
	PROTEST [VEHICLE CODE §3072 (RELOCATIONS)]		