

New Motor Vehicle Board
Filings and Statistics
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Notices of Termination

- **60-day Notice of Termination**
 - Default Notice of Termination
 - Franchisee has 30 days from the date of receipt of the notice to file a protest.
 - If no timely protest is filed, the termination is effective 60 days from the date of receipt of the notice.
- **15-day Notice of Termination**
 - Only in special circumstances.
 - Franchisee has 10 days from the date of receipt of the notice to file a protest.
 - If no timely protest is file, the termination is effective 15 days from the date of receipt of the notice.

15-day Notice of Termination

A 15-day notice of termination can be issued if the specific grounds set forth include one or more of the following:

- (1) transfer of any ownership or interest in the franchise without the consent of the franchisor, which consent shall not be unreasonably withheld;
- (2) Misrepresentation by the franchisee in applying for the franchise;
- (3) Insolvency of the franchisee, or filing of any petition by or against the franchisee under any bankruptcy or receivership law;
- (4) Any unfair business practice after written warning thereof;
- (5) Failure of the motor vehicle dealer to conduct its customary sales and service operations during its customary hours of business for seven consecutive business days, giving rise to a good faith belief on the part of the franchisor that the motor vehicle dealer is in fact going out of business, except for circumstances beyond the direct control of the motor vehicle dealer or by order of the DMV. (V.C. section 3060)

Notices of Termination - 2007 to 2015

| Year | Vehicle Type | 15-day notices | 60-day notices | Total |
|------|--|----------------|----------------|-------|
| 2007 | Automobile, motorcycle, ATV, trailer, heavy duty truck | 6 | 23 | 29 |
| 2007 | Recreational vehicle | 3 | 2 | 5 |
| 2008 | Automobile, motorcycle, ATV, trailer, heavy duty truck | 30 | 17 | 47 |
| 2008 | Recreational vehicle | 5 | 0 | 5 |
| 2009 | Automobile, motorcycle, ATV, trailer, heavy duty truck | 40 | 67 | 107 |
| 2009 | Recreational vehicle | 2 | 1 | 3 |
| 2010 | Automobile, motorcycle, ATV, trailer, heavy duty truck | 17 | 137 | 154 |
| 2010 | Recreational vehicle | 0 | 10 | 10 |
| 2011 | Automobile, motorcycle, ATV, trailer, heavy duty truck | 12 | 25 | 37 |
| 2011 | Recreational vehicle | 1 | 2 | 3 |
| 2012 | Automobile, motorcycle, ATV, trailer, heavy duty truck | 5 | 25 | 30 |
| 2012 | Recreational vehicle | 0 | 2 | 2 |
| 2013 | Automobile, motorcycle, ATV, trailer, heavy duty truck | 8 | 16 | 24 |
| 2013 | Recreational Vehicle | 0 | 0 | 0 |
| 2014 | Automobile, motorcycle, ATV, trailer, heavy duty truck | 0 | 28 | 28 |
| 2014 | Recreational Vehicle | 2 | 1 | 3 |
| 2015 | Automobile, motorcycle, ATV, trailer, heavy duty truck | 3 | 26 | 29 |
| 2015 | Recreational Vehicle | 15 | 15 | 30 |

Notices of Termination - 2015

| Manufacturer | 15-day Notice | 60-day Notice | Product |
|------------------|---------------|---------------|-----------------------------------|
| American Honda | 0 | 1 | Cars |
| Arctic Cat | 0 | 3 | ATVs |
| BRP (Bombardier) | 0 | 1 | Motorcycles, ATVs/ROHV |
| FCA - Dodge/Ram | 0 | 2 | Cars |
| Forest River* | 15 | 15 | Recreational Vehicles |
| Infiniti | 0 | 1 | Cars |
| Kia | 0 | 2 | Cars |
| KTM | 0 | 1 | Motorcycles |
| Kymco | 0 | 1 | Motorcycles, ATVs/Scooters |
| Mitsubishi | 0 | 1 | Cars |
| Polaris | 0 | 1 | Cars (low-speed electric vehicle) |
| Royal Enfield | 0 | 10 | Motorcycles |
| SportChassis LLC | 0 | 1 | Heavy-Duty Trucks |
| Subaru | 0 | 1 | Cars |
| SSR Motorsports | 3 | 0 | Motorcycles, ATVs/UTVs, Scooters |
| TOTAL | 18 | 41 | 59 |

Notices of Termination - 2015

| Product | 15-Day Notice | 60-Day Notice |
|--------------------------------|---------------|---------------|
| Cars | 0 | 9 |
| Heavy-Duty Trucks | 0 | 1 |
| Motorcycles, ATV, Scooters | 3 | 16 |
| Recreational Vehicles/Trailers | 15 | 15 |
| Trailers/Commercial Vehicles | 0 | 0 |
| TOTAL | 18 | 41 |

Other Notices - 2015

| Manufacturer | Type of Notice | Number | Product |
|---------------------------------|--------------------|------------|--|
| American Honda | 3060 modification | 2 | Motorcycles/ATVs/Scooters |
| FCA (Chrysler, Jeep, Dodge Ram) | 3060 modification | 156 | Cars |
| General Motors | 3060 modification | 49 | Cars |
| Kawasaki | 3060 modification | 88 | Motorcycles/ATVs/UTVs |
| Maserati | 3060 modification | 18 | Cars |
| Vactor Manufacturing | 3060 modification | 2 | Refuse Trucks |
| Volvo Trucks | 3060 modification | 5 | Heavy Duty Trucks |
| TOTAL | | 320 | |
| FCA (Chrysler, Dodge, Jeep) | 3062 establishment | 24 | Cars |
| FCA (Fiat) | 3062 establishment | 1 | Cars |
| FCA (RAM) | 3062 establishment | 10 | Cars |
| FCA (Truck Center) | 3062 establishment | 1 | Commercial Vehicles |
| Ford | 3062 establishment | 1 | Cars |
| Hyundai | 3062 establishment | 1 | Cars |
| Mazda | 3062 establishment | 1 | Cars |
| Suzuki | 3062 establishment | 2 | Motorcycles/ATVs/Scooters |
| Volvo | 3062 establishment | 1 | Cars |
| TOTAL | | 42 | |
| Audi | 3062 relocation | 1 | Cars |
| Honda | 3062 relocation | 7 | Cars (6) Motorcycles/ATVs/Scooters (1) |
| Kawasaki | 3062 relocation | 1 | Motorcycles |
| Yamaha | 3062 relocation | 2 | Motorcycles |
| TOTAL | | 11 | |

Protests - 2006 to 2015

| Year | 3060 (T) | 3060 (M) | 3062 (E) | 3062 (R) | 3065 | 3065.1 | 3070 (T) | 3070 (M) | 3072 (E) | 3075 | 3076 |
|-----------------|-------------|-------------|-------------|-------------|------|--------|-------------|-------------|-------------|------|------|
| 2006 | 14 | 1 | 25 | 5 | 3 | 0 | 0 | 0 | 0 | 1 | 0 |
| Total 49 | | | | | | | | | | | |
| 2007 | 18 | 3 | 20 | 13 | 3 | 4 | 3 | 1 | 0 | 0 | 0 |
| Total 65 | | | | | | | | | | | |
| 2008 | 21 | 1 | 9 | 9 | 0 | 1 | 1 | 0 | 0 | 0 | 0 |
| Total 42 | | | | | | | | | | | |
| 2009 | 32 | 0 | 8 | 4 | 1 | 0 | 3 | 0 | 0 | 5 | 1 |
| Total 54 | | | | | | | | | | | |
| 2010 | 26 | 3 | 31 | 3 | 1 | 1 | 5 | 4 | 1 | 5 | 5 |
| Total 85 | | | | | | | | | | | |
| 2011 | 19 | 10 | 12 | 2 | 1 | 2 | 1 | 0 | 0 | 0 | 0 |
| Total 47 | | | | | | | | | | | |
| 2012 | 12 | 3 | 6 | 7 | 0 | 0 | 2 | 0 | 0 | 0 | 0 |
| Total 30 | | | | | | | | | | | |
| 2013 | 17 | 0 | 6 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total 24 | | | | | | | | | | | |
| 2014 | 17 | 2 | 4 | 2 | 0 | 8 | 0 | 0 | 0 | 0 | 0 |
| Total 33 | | | | | | | | | | | |
| 2015 | 10 | 8 | 15 | 3 | 4 | 5 | 0 | 0 | 0 | 0 | 0 |
| Total 45 | | | | | | | | | | | |

Overview of Notices of Termination and Protests by Vehicle Type

| Year | Vehicle | 15-Day Notice | 60-Day Notice | Termination Protest | Establishment/Relocation Protest |
|------|-------------|---------------|---------------|---------------------|----------------------------------|
| 2009 | Cars | 21 | 19 | 22 | 11 |
| 2009 | Motorcycles | 16 | 48 | 10 | 1 |
| 2009 | RV | 2 | 1 | 3 | 0 |
| 2010 | Cars | 6 | 21 | 23 | 33 |
| 2010 | Motorcycles | 10 | 39 | 3 | 1 |
| 2010 | RV | 0 | 10 | 5 | 1 |
| 2011 | Cars | 6 | 17 | 15 | 14 |
| 2011 | Motorcycles | 6 | 8 | 4 | 0 |
| 2011 | RV | 1 | 2 | 1 | 0 |
| 2012 | Cars | 1 | 3 | 3 | 11 |
| 2012 | Motorcycles | 4 | 22 | 9 | 2 |
| 2012 | RV | 0 | 2 | 2 | 0 |
| 2013 | Cars | 6 | 5 | 15 | 6 |
| 2013 | Motorcycles | 2 | 10 | 1 | 1 |
| 2013 | RV | 0 | 0 | 0 | 0 |
| 2014 | Cars | 1 | 18 | 16 | 4 |
| 2014 | Motorcycles | 0 | 9 | 1 | 2 |
| 2014 | RV | 2 | 1 | 0 | 0 |
| 2015 | Cars | 0 | 10 | 9 | 16 |
| 2015 | Motorcycles | 3 | 16 | 1 | 2 |
| 2015 | RV | 15 | 15 | 0 | 0 |

Notices of Termination – 2016 YTD

| Manufacturer | 15-day Notice | 60-day Notice | Product |
|-----------------|---------------|---------------|----------------------------------|
| SSR Motorsports | 1 | 0 | Motorcycles, ATVs/UTVs, Scooters |
| Suzuki Motor | 1 | 0 | Motorcycles/ATVs |
| TOTAL | 2 | 0 | |

| Product | 15-Day Notice | 60-Day Notice |
|--------------------------------|---------------|---------------|
| Cars | 0 | 0 |
| Heavy-Duty Trucks | 0 | 0 |
| Motorcycles, ATV, Scooters | 2 | 0 |
| Recreational Vehicles/Trailers | 0 | 0 |
| Trailers/Commercial Vehicles | 0 | 0 |
| TOTAL | 2 | 0 |

Other Notices – 2016 YTD

| Manufacturer | Type of Notice | Number | Product |
|--|--------------------|--------|-------------------------|
| General Motors (Buick, Chevrolet, GMC Truck) | 3060 modification | 6 | Cars |
| TOTAL 6 | | | |
| Audi | 3062 establishment | 1 | Cars |
| Kawasaki | 3062 establishment | 1 | Motorcycles, ATVs, UTVs |
| Subaru | 3062 establishment | 2 | Cars |
| TOTAL 4 | | | |
| | 3062 relocation | 0 | |
| TOTAL 0 | | | |

Protests – 2016 YTD

| Year | 3060 (T) | 3060 (M) | 3062 (E) | 3062 (R) | 3065 | 3065.1 | 3070 - 3076 | 3085 |
|---------|-------------|-------------|-------------|-------------|------|--------|----------------|------|
| 2016 | 0 | 0 | 2 | 0 | 2 | 0 | | 1 |
| Total 5 | | | | | | | | |

Questions and Answers