

HOUSE BILL NO. HB0116

New vehicle dealer claims.

Sponsored by: Representative(s) Brown, Blake, Clausen, Kinner, Lindholm, Pelkey and Western and Senator(s) Hicks, Kinskey, Kost, Pappas and Steinmetz

A BILL

for

1 AN ACT relating to motor vehicle franchises; modifying a  
2 provision relating to claims made by new vehicle dealers as  
3 specified; and providing for an effective date.

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5 *Be It Enacted by the Legislature of the State of Wyoming:*

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7 **Section 1.** W.S. 31-16-117(d) is amended to read:

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9 **31-16-117. Payment for delivery preparation, warranty,  
10 sales incentives and service incentives.**

11

12 (d) All claims made by new vehicle dealers ~~pursuant to~~  
13 ~~this section for labor and parts~~ for predelivery preparation,  
14 warranty, sales incentives or service incentives shall be

1 paid or credited within thirty (30) days following their  
2 approval. The manufacturer may audit claims and charge the  
3 dealer for unsubstantiated or incorrect<sup>7</sup> claims for a period  
4 of one (1) year following payment except where the  
5 manufacturer reasonably suspects fraud. A manufacturer that  
6 reasonably suspects fraud may audit claims for a period of  
7 four (4) years and charge the dealer for fraudulent claims as  
8 otherwise provided by law. All claims shall be either  
9 approved or disapproved within thirty (30) days after their  
10 receipt, on forms or by computerized communication and in the  
11 manner specified by the manufacturer including a computerized  
12 communications system. Any claim not specifically disapproved  
13 in writing or through electronic communication within thirty  
14 (30) days after receipt is construed to be approved and  
15 payment shall be made within thirty (30) days.

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17 **Section 2.** This act is effective July 1, 2019.

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(END)