

2860.5600 RENEWAL OF FRANCHISE.

Any provisions regarding the renewal of a franchise agreement shall be governed by items A and B.

A. Either party to a franchise agreement may refuse to renew the franchise agreement upon giving the other party written notice of his or her intent not to renew at least 180 days prior to the expiration of the franchise agreement.

B. Where the supplier and the dealer have been parties to one or more franchise agreements extending for three consecutive years, or where the dealer has been supplied the same brand name motor vehicle fuel for such period, or where the dealer has been in business as a motor vehicle fuel dealer in the same location for such period and the supplier has obtained the interest of the prior supplier to that location, the supplier shall either automatically renew the existing franchise agreement, or in good faith offer another franchise agreement, different either in its terms or location. For the purposes of this item, the three-year period shall be measured from the original date of commencement of any of the relationships mentioned above. However, this obligation of the supplier shall not apply where the supplier would have a right to cancel its relationship with the dealer under any of the provisions of part 2860.5400.

Statutory Authority: *MS s 45.023; 80C.18*

History: *14 SR 2631*

Published Electronically: *September 14, 2007*