



Sen. Laura M. Murphy

Filed: 5/7/2024

10300HB4447sam001

LRB103 34729 SPS 72634 a

1 AMENDMENT TO HOUSE BILL 4447

2 AMENDMENT NO. _____. Amend House Bill 4447 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the Motor
5 Vehicle Dealer Protection Act.

6 Section 5. Definitions. As used in this Act:

7 "Motor vehicle dealer" means any person who, in the
8 ordinary course of business, is engaged in the business of
9 selling new or used motor vehicles to consumers or other end
10 users.

11 "Person" means a natural person, corporation, partnership,
12 trust, or other entity, and in the case of an entity, it shall
13 include any other entity in which it has a majority interest or
14 which it effectively controls as well as the individual
15 officers, directors, and other persons in active control of
16 the activities of each such entity.

1 Section 10. Third-party use of motor vehicle dealer
2 likenesses. A person shall not use the name, image, likeness,
3 registered trademark, or intellectual property belonging to a
4 motor vehicle dealer without first obtaining written
5 permission from the motor vehicle dealer.

6 Section 15. Enforcement and penalties. A motor vehicle
7 dealer whose name, image, likeness, registered trademark, or
8 intellectual property is used in violation of Section 10, may
9 bring an action in the circuit court in the county in which the
10 motor vehicle dealer conducts business to recover actual
11 damages or up to \$5,000, whichever is greater. The court may,
12 in its discretion, award punitive damages and other equitable
13 relief it deems appropriate.

14 Section 97. Severability. The provisions of this Act are
15 severable under Section 1.31 of the Statute on Statutes."