
By Mr. Backman, a petition (accompanied by bill, Senate, No. 69) of Harold Brown, L. Seth Stadfeld and Jack H. Backman for legislation to provide recourse for motor vehicle dealers who suffer losses because of unfair methods of competition. Commerce and Labor.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-three.

AN ACT TO PROVIDE ADDITIONAL REMEDIES TO MOTOR VEHICLE DEALERS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 93B of the General Laws is hereby amended by
2 striking out section 12A as added by section 5 of chapter 717
3 of the acts of 1977, and inserting in place thereof the follow-
4 ing section: —

5 *Section 12A.* Any franchise or motor vehicle dealer who
6 suffers any loss of money or property, real or personal, as a
7 result of the use of or employment by a manufacturer, whole-
8 saler, distributor, distributor branch or division, factory
9 branch or division, wholesaler branch or division, or any
10 agent, servant or employee thereof, of an unfair method of
11 competition or an unfair or deceptive act or practice declared
12 unlawful by sections three through eleven, inclusive, or by
13 any rule or regulation issued under paragraph (c) or section
14 three may bring an action for damages and equitable relief as
15 provided for in section eleven of chapter 93A. A franchise or
16 motor vehicle dealer, if it has not suffered any loss of money
17 or property, may obtain final equitable relief if it can be
18 shown that the unfair method of competition, or unfair or
19 deceptive act or practice may have the effect of causing such
20 loss of money or property, and where such relief is granted,
21 such franchisee or motor vehicle dealer shall recover costs
22 and a reasonable attorney's fee.

