

GENERAL ASSEMBLY OF NORTH CAROLINA
1995 SESSION

CHAPTER 234
HOUSE BILL 515

AN ACT TO CLARIFY THE DEFINITION OF THE TERM "RELEVANT MARKET
AREA" IN THE MOTOR VEHICLE DEALERS AND MANUFACTURERS
LICENSING LAW.

The General Assembly of North Carolina enacts:

Section 1. Subdivision (13b) of G.S. 20-286 reads as rewritten:

"(13b) Relevant market area or trade area. – The area within a radius of 20 miles around an existing dealer or the area of responsibility defined in the franchise, whichever is greater; except that, where a manufacturer is seeking to establish an additional new motor vehicle dealer the relevant market area shall be as follows:

- a. If the population in an area within a radius of 10 miles around the proposed site is 250,000 or more, the relevant market area shall be that area within the 10 mile radius; or
- b. If the population in an area within a radius of 10 miles around the proposed site is less than 250,000, but the population in an area within a radius of 15 miles around the proposed site is 150,000 or more, the relevant market area shall be that area within the 15 mile radius; or
- c. Except as defined in subparts a. and b., the relevant market area shall be the area within a radius of 20 miles around an existing dealer.

In determining population for this definition the most recent census by the U.S. Bureau of the Census or the most recent population update either from ~~the National Planning Data Corporation~~ Claritas Inc. or other similar recognized source shall be accumulated for all census tracts either wholly or partially within the relevant market area. In accumulating population for this definition, block group and block level data shall be used to apportion the population of census tracts which are only partially within the relevant market area so that population outside of the applicable radius is not included in the count."

Sec. 2. This act is effective upon ratification and shall not affect pending litigation.

In the General Assembly read three times and ratified this the 13th day of June, 1995.

Dennis A. Wicker
President of the Senate

Harold J. Brubaker
Speaker of the House of Representatives