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## BLOGS

State Franchise and Dealer Laws

# Illinois Appeals Court Confirms That Motor Vehicle Franchise Act Does Not Apply to ATVs, Snowmobiles

In *Scholl's 4 Season Motor Sports, Inc. v. Illinois Motor Vehicle Review Board, et al.*, 2011 Ill. App. LEXIS 979 (Ill. Ct. App. Sep. 8, 2011), an Illinois dealer of ATVs and snowmobiles appealed a ruling by the Illinois Motor Vehicle Review Board that the state's Motor Vehicle Franchise Act does not apply to off-road vehicles such as ATVs and snowmobiles. The dealer had sought the protection of the Act in connection with a discount program and an impending termination by snowmobile manufacturer Arctic Cat. The central issue presented by the dealer was whether the Act's definition of "motorcycles" (a class of vehicles included within the scope of the Act) was broad enough to include ATVs and snowmobiles. In confirming the ruling of the Board, the state appellate court noted that the Act plainly defined "motor vehicles" as those vehicles required to be registered under the Illinois Vehicle Code, which does not include ATVs and snowmobiles. The Act's definition of "motorcycle" incorporated the defined term "motor vehicle," so that term could not encompass ATVs and snowmobiles. As a result, the dealer could not avail itself of the Act's relationship provisions.