



## Distributor Agreement Questionnaire

**Instructions:** When applying for a new or renewal distributor license or when applying for a license amendment to distribute a new line-make, a distributor can choose to complete this questionnaire in lieu of attaching the required excerpts from the distribution agreement to the application. Complete one questionnaire for each manufacturer you represent.

Check all boxes that apply, attach a statement with additional details as required, and upload the completed document in eLICENSING as an attachment to your sworn application.

<b>Parties to the Distributor Agreement</b>	
<b>Manufacturer</b>	<b>Distributor*</b>
Legal Business Name:	_____
Physical Address:	_____ _____
Mailing Address:	_____ _____
Party Email Address:	_____
Signatory's Name:	_____
Signatory's Title:	_____
Date Signed:	_____
* Distributor's legal business name, physical address, and mailing address are entered in the online application.	

<b>Distribution Territory</b>	
This distribution territory includes:	<input type="checkbox"/> all of Texas <input type="checkbox"/> part of Texas*
*Attach a written description of the territory.	



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**Distribution Agreement Effective Dates**

Start Date: \_\_\_\_\_

End/Renewal Date\*: \_\_\_\_\_

\*If the distribution agreement end date is undetermined or not disclosed above, the manufacturer and distributor must sign below to acknowledge that each party expects the agreement to be in effect for the entire license period.

Manufacturer's Authorized Agent Signature:

Distributor's Authorized Signature:

\_\_\_\_\_

\_\_\_\_\_

Name/Title of Authorized Signatory:

Name/Title of Authorized Signatory:

\_\_\_\_\_

\_\_\_\_\_

**Responsibilities under the Agreement**

WARRANTY MATTERS		
Question	Applicant Response**	
Complete A <u>or</u> B as applicable:		
A. Party responsible <b>to a Texas buyer</b> for all warranty matters.	Manufacturer  <input type="checkbox"/>	Distributor  <input type="checkbox"/>
B. Party responsible <b>to a Texas buyer</b> for the following warranty matters:  1. Party that determines express warranty terms offered to a new vehicle buyer.  2. Party responsible for warranty costs.  3. Party responsible for handling new vehicle owner warranty complaints.	Manufacturer  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>	Distributor  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>

\*\* If both the manufacturer and distributor are responsible for a single matter, check both boxes and attach an explanation of the split of responsibilities for that matter.



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FRANCHISED DEALER MATTERS		
Question	Applicant Response**	
	Manufacturer	Distributor
Complete A <u>or</u> B as applicable:		
A. Party responsible for all franchised dealer matters.	<input type="checkbox"/>	<input type="checkbox"/>
B. Party responsible for the following franchised dealer matters:		
1. Party responsible for determining:		
▪ franchised dealer warranty, preparation, and delivery requirements.	<input type="checkbox"/>	<input type="checkbox"/>
▪ franchised dealer warranty labor rate.	<input type="checkbox"/>	<input type="checkbox"/>
▪ a charge back to a franchised dealer.	<input type="checkbox"/>	<input type="checkbox"/>
▪ a termination of a franchise agreement.	<input type="checkbox"/>	<input type="checkbox"/>
▪ a discontinuance of a line-make.	<input type="checkbox"/>	<input type="checkbox"/>
▪ a modification to the franchise agreement.	<input type="checkbox"/>	<input type="checkbox"/>
▪ a replacement of an existing franchise.	<input type="checkbox"/>	<input type="checkbox"/>
2. Party responsible for paying:		
▪ a franchised dealer's claim for warranty work reimbursement.	<input type="checkbox"/>	<input type="checkbox"/>
▪ a franchised dealer's claim for preparation and delivery work.	<input type="checkbox"/>	<input type="checkbox"/>
▪ the franchised dealer following termination of franchise.	<input type="checkbox"/>	<input type="checkbox"/>
▪ Payments to a franchised dealer resulting from discontinuance of a line-make.	<input type="checkbox"/>	<input type="checkbox"/>
▪ payments due the franchised dealer if a manufacturer ceases business in Texas.	<input type="checkbox"/>	<input type="checkbox"/>



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FRANCHISED DEALER MATTERS		
Question	Applicant Response**	
	Manufacturer	Distributor
<ul style="list-style-type: none"> <li>▪ payments to a franchised dealer due to a change in the distributor or method of distribution.</li> <li>▪ franchised dealer costs of a product recall.</li> <li>▪ a payment to the franchised dealer under an incentive program.</li> </ul>	<input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>	<input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>
3. Party responsible for approving: <ul style="list-style-type: none"> <li>▪ a franchised dealer relocation.</li> <li>▪ a change in franchised dealer ownership.</li> <li>▪ succession following the death of a franchised dealer.</li> <li>▪ addition of a line-make to a franchise.</li> </ul>	<input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>	<input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>
4. Party responsible for delivering: <ul style="list-style-type: none"> <li>▪ motor vehicles to a franchised dealer.</li> <li>▪ motor vehicle parts to a franchised dealer.</li> </ul>	<input type="checkbox"/>  <input type="checkbox"/>	<input type="checkbox"/>  <input type="checkbox"/>
5. Party responsible for providing notice to a franchised dealer of: <ul style="list-style-type: none"> <li>▪ a termination of a franchise agreement.</li> <li>▪ a discontinuance of a line-make.</li> <li>▪ a discontinuance of a line-make part or product.</li> <li>▪ a requirement to relocate.</li> </ul>	<input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>	<input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>
6. Party responsible for mediating a franchised dealer claim filed with the department.	<input type="checkbox"/>	<input type="checkbox"/>

\*\* If both the manufacturer and distributor are responsible for a single matter, check both boxes and attach an explanation of the split of responsibilities for that matter.



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**Motor Vehicle Line-Makes and Vehicle Types Included in the Agreement**

Select the applicable option below:

- The manufacturer is licensed in Texas and all line-makes and vehicle types listed in the manufacturer’s license are included in the distribution agreement.

OR

- The manufacturer is licensed in Texas but only the attached list of line-makes and vehicle types listed in the manufacturer’s license are included in the distribution agreement.\*\*\*

OR

- The manufacturer is not licensed in Texas and a list of the authorized line-makes and vehicle types included in the distribution agreement is attached.\*\*\*

\*\*\*Attach a list of the applicable line-makes and vehicle types.

**Certification That Information Contained and Attached to this Questionnaire is True and Complete.**

Manufacturer’s Authorized Agent Signature:

Distributor’s Authorized Signature:

\_\_\_\_\_

\_\_\_\_\_

Name/Title of Authorized Signatory:

Name/Title of Authorized Signatory:

\_\_\_\_\_

\_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**Public Information Act Notice**

If any of the information disclosed in this questionnaire is considered confidential, proprietary, or trade secret information pursuant to Texas Government Code, §552.110, you must mark or otherwise identify the information as such so that, in the event the information is requested under the Public Information Act, the department may decline to release the information and refer the matter to the Attorney General for a decision.