

**80E.135 WAIVERS AND MODIFICATIONS PROHIBITED.**

Subdivision 1. **Prohibition.** No manufacturer, distributor, or factory branch shall, before entering into a franchise with a new motor vehicle dealer or during the franchise term, use any written instrument, agreement, or waiver, to attempt to nullify or modify any provision of this chapter, restrict a dealer from participation in the management of, investment in, or the acquisition or establishment of any other line of new motor vehicle or related product as provided in section 80E.12, paragraph (h), or prevent a new motor vehicle dealer from bringing an action in a particular forum otherwise available under law. These instruments, agreements, and waivers are null and void.

Subd. 2. **Applicability.** This section does not apply to an agreement between a dealer and a manufacturer, distributor, or factory branch that restricts or prohibits a dealer from participation in the management of, investment in, or the acquisition or establishment of any other line of new motor vehicle or related product if the agreement:

- (1) is voluntarily entered into by the dealer and its execution is not a condition of approval of the transaction by a manufacturer, distributor, or factory branch;
- (2) clearly and conspicuously discloses that the agreement is voluntary; and
- (3) provides for a separate consideration to the dealer.

**History:** 1988 c 611 s 9; 2009 c 34 s 5