MVFB Case No. 21-01

Better Way Ford v. Ford Motor Company and Ford Motor Company Credit

This case was decided by the Board in 2023. That decision was appealed to the Business and Consumer Docket which, on June 13, 2024, affirmed the Board’s decision on the merits and remanded to the Board the discrete issue of whether the Board had correctly ordered the sealing of certain documents at the Board’s hearing. Responding to the remand on July 24, 2024, the Board issued a written order confirming its decision to seal certain documents. Responding to that Order, Better Way Ford has applied for a review of the Order. That review request awaits a decision by the Business and Consumer Court (Docket No. BCD 24-367).

MVFB Case No. 22-01

Darling’s v. Ford Motor Company

Ford notified Darling’s by mail on April 28, 2022, that Darling’s Bangor “locality” was to be revised by taking a portion of the “locality” from Darling’s. Darling’s has filed a protest with the Board claiming (among other things) a violation of §1174(1) of the franchise law. Ford has responded stating that the modification to Darling’s “locality” does not amount to a modification of Darling’s franchise agreement with Ford and, thereby, renders §1174 inapplicable to the action Ford has taken.

Tesla Request for Hearing

By letter of October 8, 2024, Tesla, Inc., notified the Board of its interest in opening a dealership in the Portland area to sell its electric vehicles. By Maine law, the ownership of a dealership by a manufacturer is generally forbidden. An exception to this general rule exists under §1174 (3)(K) of the Maine franchise law. The exception provides that if, after a hearing, the Board determines that there is no independent dealer available to operate a dealership for a manufacturer (here, Tesla), then the manufacturer may open a dealership. Tesla has been notified of the procedure for requesting a hearing before the Board and the Board awaits Tesla’s reply.