

2026 Regular Session

HOUSE BILL NO. 848

BY REPRESENTATIVE DEWITT

MTR VEHICLE/DEALERS: Provides with respect to all terrain vehicle dealerships

1 AN ACT

2 To amend and reenact R.S. 32:1252(1) and (9) and to enact R.S. 32:1254(E)(5)(c) and  
3 1270.11(2)(k), relative to motor vehicle dealers; to provide for definitions; to provide  
4 for licensing requirements for motor vehicle and recreational products dealers; to  
5 provide for repair facilities for all-terrain vehicle dealers; to provide for unauthorized  
6 acts; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 32:1252(1) and (9) are hereby amended and reenacted and R.S.  
9 32:1254(E)(5)(c) and 1270.11(2)(k) are hereby enacted to read as follows:

10 §1252. Definitions

11 The following words, terms, and phrases, when used in this Chapter, shall  
12 have the meanings respectively ascribed to them in this Section, except where the  
13 context clearly indicates a different meaning:

14 (1) "All-terrain vehicle" ~~shall mean~~ means any vehicle manufactured for off-  
15 road use and issued a manufacturer's statement or certificate of origin, as required  
16 by the commission, that cannot be issued a registration certificate and license to  
17 operate on the public roads of this state because, at the time of manufacture, the  
18 vehicle does not meet the safety requirements prescribed by R.S. 32:1301 through  
19 1310. This includes vehicles that are issued a title by the Department of Public  
20 Safety and Corrections, public safety services, such as golf carts and recreational and

1 sports vehicles, but it ~~shall~~ does not include off-road vehicles used for farm purposes,  
2 farm equipment, electric-assisted bicycles, or heavy construction equipment.

3 \* \* \*

4 (9) "Dealer" means any person licensed to sell a motor vehicle, specialty  
5 vehicle, or recreational product subject to regulation by this Chapter. "Dealer", for  
6 purposes of all-terrain vehicles and golf carts, includes any person, business, or  
7 entity that sells, offers for sale, or distributes such vehicles at retail, regardless of  
8 whether that person or entity is primarily engaged in another line of business.

9 \* \* \*

10 §1254. Application for license; requirements for licensure; contents; licenses;  
11 franchise filings; exceptions

12 \* \* \*

13 E. Additional licensing and compliance requirements for motor vehicle and  
14 recreational products dealers.

15 \* \* \*

16 (5)

17 \* \* \*

18 (c) A dealer of all-terrain vehicles, including golf carts, shall have adequate  
19 facilities for the repair and servicing of all-terrain vehicles and the storage of new  
20 parts and accessories for that repair and servicing, which may be satisfied by any of  
21 the following:

22 (i) Facilities located in the building or structure where the applicant's  
23 established business is conducted or within one thousand feet of the established place  
24 of business.

25 (ii) A written contractual agreement with a third-party repair facility that is  
26 equipped and qualified to perform such repair and servicing, located within this state  
27 and within a radius of fifty miles of the dealer's established place of business, or  
28 within a reasonable distance such that service can be provided within five business  
29 days.



- (1) Facilities located in the building where the dealer's established business is conducted or within 1,000 feet of that place of established business.
- (2) A written contractual agreement with a third-party repair facility that is equipped and qualified to perform such repair and servicing, located within this state and within a radius of 50 miles of the dealer's established place of business or within a reasonable distance such that service can be provided within five business days.
- (3) A manufacturer-authorized service provider.

Present law provides for unauthorized acts by a motorcycle or all-terrain vehicle dealer that shall be violations of present law.

Proposed law adds that it shall be a violation of proposed law for a dealer of all-terrain vehicles, including golf carts, to fail to maintain repair facilities and parts and accessories for repair and servicing, which may be satisfied by any of the same three options available for applicants to be dealers of all-terrain vehicles.

(Amends R.S. 32:1252(1) and (9); Adds R.S. 32:1254(E)(5)(c) and 1270.11(2)(k))

#### Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Commerce to the original bill:

1. Make technical changes.
2. Provide that a dealer of all-terrain vehicles, or an applicant for a license to be a dealer of all-terrain vehicles, shall maintain repair facilities and parts and accessories for that repair and servicing, which may be satisfied by any of the following:
  - (a) Facilities located in the building or structure where the applicant's established business is conducted or within 1000 feet of the established place of business.
  - (b) A written contractual agreement with a third-party repair facility that is equipped and qualified to perform such repair and servicing, located within this state and within a radius of 50 miles of the dealer's established place of business, or within a reasonable distance such that service can be provided within five business days.
  - (c) A manufacturer-authorized service provider.

#### The House Floor Amendments to the engrossed bill:

1. Amend the definition of "dealer" to add that, for purposes of all-terrain vehicles and golf carts, "dealer" includes any person, business, or entity that sells, offers for sale, or distributes such vehicles at retail, regardless of whether that person or entity is primarily engaged in another line of business.