

CONFERENCE COMMITTEE REPORT

HB 848

2026 Regular Session

Dewitt

June 1, 2026

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 848 by Representative Dewitt, recommend the following concerning the Reengrossed bill:

- 1. That the set of Senate Floor Amendments by Senator Cloud (#4183) be rejected.
- 2. That the following amendments to the Reengrossed bill be adopted:

AMENDMENT NO. 1

On page 1, line 2, after "(9)" and before "and" insert "and 1254(E)(5)(a)"

AMENDMENT NO. 2

On page 1, line 8, after "(9)" and before "and" insert "and 1254(E)(5)(a)"

AMENDMENT NO. 3

On page 2, delete lines 13 through 29 and insert in lieu thereof the following:

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

* * *

(5)(a) The applicant must also furnish satisfactory evidence that the applicant maintains adequate space in the building or structure wherein the applicant's established business is conducted for the display of new motor vehicles or recreational products, together with adequate facilities for the repair and servicing of motor vehicles or recreational products and the storage of new parts and accessories for the repair and servicing. For purposes of this Subparagraph, "adequate facilities for the repair and servicing" means facilities sufficient to reasonably support warranty service, maintenance, and repair obligations associated with the recreational products sold by the dealer.

* * *

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

(aa) Adequate facilities for the repair and servicing of all-terrain vehicles and the storage of new parts and accessories for that repair and servicing located in the building or structure where the applicant's established business is conducted or within one thousand feet of the established place of business.

(bb) An agreement with a third-party warranty service provider that is equipped and qualified to perform that repair and servicing, located within this state and within a radius of forty miles of the dealer's established place of business. The dealer shall make available to the purchaser applicable warranty information relating to the vehicle.

(cc) An agreement with the manufacturer to provide an opportunity to the consumer to obtain service from a warranty-authorized service provider. The dealer

shall make available to the purchaser applicable warranty information relating to the vehicle.

(dd) A manufacturer-authorized service provider.

(ii) Prior to the execution of any sale or financing agreement for an all-terrain vehicle, a dealer of all-terrain vehicles including golf carts shall provide written disclosure to the purchaser if warranty repair and service for that vehicle are to be performed primarily by a remote service facility pursuant to a contractual arrangement with another entity. That purchaser shall acknowledge receipt of the disclosure in writing prior to completion of the sale, and that dealer shall retain a copy of that acknowledgment in its records for three years or until expiration of the warranty, whichever is lesser. That disclosure shall include all of the following information:

(aa) The name and physical address of the remote service and repair facility.

(bb) The approximate distance between the dealership and the remote service and repair facility.

(cc) A statement advising the purchaser that certain warranty repair and services may require transportation of the vehicle to the remote service facility.

(iii) A dealer shall not be liable for any subsequent change in the availability, location, authorization, ownership, or operational status of a manufacturer-authorized service provider or third-party warranty service provider identified in the disclosure required by this Item (ii) of this Subparagraph, if that dealer acted in good faith and supplied accurate information at the time of sale.

AMENDMENT NO. 4

On page 3, delete line 1 in its entirety

Respectfully submitted,

Representative Jason Dewitt

Senator Heather Miley Cloud

Representative Daryl Andrew Deshotel

Senator Michael "Big Mike" Fesi

Representative Chance Henry

Senator Valarie Hodges

CONFERENCE COMMITTEE REPORT DIGEST

HB 848

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Keyword and onliner of the instrument as it left the House

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

Report rejects Senate amendments which would have:

1. Defined "adequate facilities for the repair and servicing" as a bona fide service facility that is fully equipped, maintained, and available to perform repairs on all-terrain vehicles sold by that dealer, and that such facilities shall not consist solely of a location for the transfer of vehicles to another location.
2. Amended provision requiring a dealer of all-terrain vehicles to maintain adequate facilities for the repair and servicing of all-terrain vehicles to provide that a contracted third-party repair facility need be located within this state and within a radius of 25 miles of the dealer's established place of business.
3. Removed provision allowing a dealer of all-terrain vehicles to maintain adequate facilities for the repair and servicing of all-terrain vehicles to satisfy that requirement by a manufacturer-authorized service provider.

Report amends the bill to:

1. Define "adequate facilities for the repair and servicing" as facilities sufficient to reasonably support warranty service, maintenance, and repair obligations associated with the recreational products sold by the dealer.
2. Provide that a dealer of all-terrain vehicles, including golf carts, shall have adequate facilities for the repair and servicing of all-terrain vehicles, which may be satisfied by any of the following:
 - (a) Facilities for that work located in the building or where the applicant's established business is conducted or within 1,000 feet of the established place of business.
 - (b) An agreement with a third-party warranty service provider that is equipped and qualified to perform that repair and servicing, located within this state and within a radius of 40 miles of the dealer's established place of business.
 - (c) An agreement with the manufacturer to provide an opportunity to the consumer to obtain service from a warranty-authorized service provider. The dealer shall make available to the purchaser applicable warranty information relating to the vehicle.
 - (d) A manufacturer-authorized service provider.
3. Provide that a dealer of all-terrain vehicles shall make certain disclosures to the purchaser of a vehicle relative to the location, distance, and possible transportation of that vehicle to the repair facility, and to indemnify a dealer who in good faith provides accurate information at the time of sale and has subsequent changes in the location or status of its repair facility.

Digest of the bill as proposed by the Conference Committee

Present law defines "all-terrain vehicles" and "dealer". Proposed law amends definition of "all-terrain vehicle" in present law to include golf carts but otherwise maintains provisions

of present law. Proposed law amends 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, but otherwise retains present law.

Present law provides for additional licensing requirements for motor vehicle and recreational products dealers, and provides that an applicant must also furnish satisfactory evidence that the applicant maintains adequate space in the building or structure wherein the applicant's established business is conducted for the display of new motor vehicles or recreational products, together with adequate facilities for the repair and servicing of motor vehicles or recreational products and the storage of new parts and accessories for the repair and servicing. Present law also specifies that notwithstanding the provisions of present law and subject to written approval by the franchisor, adequate facilities for the repair and servicing of motor vehicles may be physically located in a building directly across a dedicated municipal street, but not more than 1,000 feet from the applicant's established place of business.

Proposed law amends present law to provide that an applicant to be a dealer of all-terrain vehicles shall have adequate facilities for the repair and servicing of all-terrain vehicles, defined as facilities sufficient to reasonably support warranty service, maintenance, and repair obligations associated with the recreational products sold by the dealer, and parts and accessories for that repair and servicing, which may be satisfied by any of the following:

- (1) Facilities for that work located in the building or where the applicant's established business is conducted or within 1,000 feet of the established place of business.
- (2) An agreement with a third-party warranty service provider that is equipped and qualified to perform that repair and servicing, located within this state and within a radius of 40 miles of the dealer's established place of business.
- (3) An agreement with the manufacturer to provide an opportunity to the consumer to obtain service from a warranty-authorized service provider. The dealer shall make available to the purchaser applicable warranty information relating to the vehicle.
- (4) A manufacturer-authorized service provider.

Proposed law provides that a dealer of all-terrain vehicles shall make certain disclosures to the purchaser of a vehicle relating to the dealer's repair facility, and to indemnify a dealer who in good faith provides accurate information at the time of sale and has subsequent changes in the location or status of its repair facility.

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) and 1254(E)(5)(a); Adds R.S. 32:1254(E)(5)(c) and 1270.11(2)(k))