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**HOUSE FLOOR AMENDMENTS**
2017 Regular Session
Amendments proposed by Representative Magee to Engrossed Senate Bill No. 107 by Senator White

AMENDMENT NO. 1

On page 1, line 2, after "To" and before "enact" insert "amend and reenact R.S. 32:1261(A)(1)(k) and to"

AMENDMENT NO. 2

On page 1, line 5, after the semi-colon ";" and before "and" insert "to modify certain requirements regarding sales or offers to sell made directly to a consumer;"

AMENDMENT NO. 3

On page 1, delete line 7 in its entirety and insert in lieu thereof the following:

"Section. 1. R.S. 32:1261(A)(1)(k) is hereby amended and reenacted and R.S. 32:1254(O) is hereby enacted to read as follows:"

AMENDMENT NO. 4

On page 1, between lines 16 and 17, insert the following:

"* * *

§1261. Unauthorized acts

A. It shall be a violation of this Chapter:

(1) For a manufacturer, a distributor, a wholesaler, distributor branch, factory branch, converter or officer, agent, or other representative thereof:

* * *

(k)(i) To sell or offer to sell a new or unused motor vehicle directly to a consumer except ~~as provided in this Chapter, or to compete with a licensee in the same-line makes, models, or classifications operating under an agreement or franchise from the aforementioned manufacturer. A manufacturer shall not, however, be deemed to be competing~~ when any one of the following conditions ~~are~~ **is** met:

(aa) Operating ~~a~~ **an existing, licensed, and franchised motor vehicle** dealership ~~temporarily~~ for a reasonable period, not to exceed two years.



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(bb) Operating ~~a bona fide retail~~ **an existing, licensed, and franchised motor vehicle** dealership which is for sale to any qualified independent person at a fair and reasonable price, not to exceed two years.

(cc) Operating in a bona fide relationship in which a person independent of a manufacturer has made a significant investment subject to loss in the dealership, and can reasonably expect to acquire full ownership of such dealership on reasonable terms and conditions.

(ii) After any of the conditions have been met under Subitems (aa) and (bb) of Item (i) of this Subparagraph, the commission ~~shall~~ **may** allow the manufacturer to ~~compete with licensees of the same-line makes, models, or classifications under an agreement or franchise from said manufacturer~~ **continue operating an existing, licensed, and franchised motor vehicle dealership** for longer than two years when, in the discretion of the commission, the best interest of the manufacturer, consuming public, and licensees are best served.

* * *"



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