

RÉSUMÉ DIGEST

ACT 487 (SB 469)

2018 Regular Session

Ward

New law adds definitions for "towable equipment" and "tow dolly".

New law defines "tow dolly" to mean a trailer equipped with one or more axles designed to connect to a tow bar on the rear of a motor vehicle that is used to tow another vehicle and is not a type of towable equipment as defined in new law. The front or rear wheels of the towed vehicle are secured to and rest upon the tow dolly.

New law defines "towable equipment" to mean equipment that is permanently affixed to or integrated upon a trailer intended for use when the trailer is not traveling on a road and where its capability for road travel or transport of other property is incidental or secondary to the primary operational purpose of the equipment. "Towable equipment" includes, but is not limited to towable signage, message boards, generators, lighting tower masts, speed monitoring and traffic cameras, air compressors, water pumps, crash attenuators, or road maintenance equipment such as a pothole patcher or a chipper brush. "Towable equipment" does not include portable facilities primarily intended for human or animal occupancy, hygiene, or similar accommodations, including but not limited to portable toilets, livestock trailers, and enclosed facilities for food service preparation and distribution.

Prior law defined "converter" or "secondary manufacturer" and "trailer".

Prior law defined "converter" or "secondary manufacturer" to mean a person who prior to the retail sale of motor vehicles or trailers, assembles, installs, or affixes a body, cab, or special equipment to a chassis, or who substantially adds, subtracts from, or modifies a previously assembled or manufactured motor vehicle or trailer.

Prior law defined "trailer" to mean every single vehicle without motive power designed for carrying property or passengers wholly on its own structure, drawn by a motor vehicle which carries no part of the weight and load of the trailer on its own wheels and having one or more load carrying axles. "Trailer" includes but is not limited to utility trailers, boat trailers, recreational trailers, semitrailers, livestock trailers, tow dollies, and dump trailers.

New law excludes towable equipment from the definitions of "converter" or "secondary manufacturer" and "trailer".

Prior law required persons who distribute and manufacture or sell certain types of motor vehicles and recreational products to be licensed by the Motor Vehicle Commission prior to engaging in business in the state of Louisiana, regardless of whether or not said person maintains or has a place or places of business in this state, and makes it a violation of law to operate without first obtaining a license.

New law exempts distributors and manufacturers of towable equipment from licensing requirements and rules and regulations of the Motor Vehicle Commission.

Prior law provided that a public entity require that any bid submitted by, or a contract or cooperative endeavor agreement with, a dealer for the purchase of vehicles to include a copy of a valid dealer's license issued under the provisions of R.S. 32:1254. Further, required a public entity to reject any bid submitted by a dealer for the purchase of vehicles which does not include a copy of a valid dealer's license.

New law authorizes a public entity to accept a bid for the sale of vehicles submitted by a vehicle dealer who is licensed on the bid opening date even when a copy of the valid dealer's license is not enclosed with the original bid submission, provided that a copy of the dealer's valid license is received by the public entity not later than ten business days following the bid opening date.

Prior law required the legislative auditor to report a violation of licensure requirements to the Motor Vehicle Commission discovered during the course of an audit or review pursuant to R.S. 24:513.

Effective August 1, 2018.

(Amends R.S. 32:1252(8) and (56) and R.S. 39:2182(E); adds R.S. 32:1252(73) and (74) and 1254(P) and R.S. 39:2182(F))