

## HOUSE SUMMARY OF SENATE AMENDMENTS

HB 547

2023 Regular Session

Riser

SECONDHAND DEALERS: Provides relative to catalytic converter sales law

### Synopsis of Senate Amendments

1. Changes "an occupational licensing board" to "a local government" and provides that a person shall obtain an occupational license from a local government if an occupational license is required in the jurisdiction.
2. Makes technical changes.

Proposed law changes in present law the following:

- (1) "Catalytic Converter Purchasers" to "Catalytic Converter Transfers".
- (2) "Louisiana Catalytic Converter Sales Law" to "Louisiana Catalytic Converter Transfer Law".
- (3) "Catalytic converter purchaser" to "catalytic converter dealer".
- (4) "Catalytic converter business license" to "catalytic converter dealer license".

Present law provides that a licensed person may buy detached catalytic converters.

Proposed law provides that a licensed person may purchase or sell used or detached catalytic converters.

Present law defines "person".

Proposed law expands the definition of "person" to include a natural person, juridical person, firm, association, trust, and transient merchant.

Present law requires a person to be licensed in order to sale or purchase catalytic converters.

Proposed law retains present law and requires that a person also have either an occupational license if it is required in the jurisdiction where the business is located or a transient merchant license.

Proposed law provides that the La. Used Motor Vehicle Commission (commission) may deny an application for licensure for certain reasons.

Proposed law provides that the commission may revoke or suspend a license, issue a fine or penalty, or enjoin a catalytic converter dealer under certain circumstances.

Proposed law provides that the commission is required to notify each license applicant of the action or application decision taken by the commission.

Proposed law provides that the commission shall hold review of an application denial if an applicant properly requests a hearing in writing and in a reasonable time. Proposed law further provides procedures for notices issued by the commission and hearings held by the commission.

Proposed law provides for appeal procedures for applicants or licensees upon denial, revocation, or suspension of a license.

Proposed law authorizes the commission to institute injunctive actions or impose civil penalties for certain violations.

Proposed law provides that a business location of a catalytic converter dealer is considered abandoned under certain circumstances. Proposed law further provides that the license of the dealer may be revoked without a hearing if a request for a hearing is not made in a timely manner as provided in proposed law.

Present law provides for an exemption from present law for a person who is in possession of one used catalytic converter if the person has documentation that the catalytic converter was acquired.

Proposed law provides that a person is exempt if the person owns the vehicle from which the used catalytic converter was detached.

Present law requires an unlicensed person to provide certain documentation if the person is in possession of a catalytic converter.

Proposed law adds that the person must also provide the year, make, model, and VIN of the vehicle from which the catalytic converter was detached.

Present law provides certain criminal penalties for an unlicensed catalytic converter purchaser. Present law further provides that the amount of the fee and duration of the imprisonment increases with each subsequent violation, and each catalytic converter purchased in violation of proposed law constitutes a separate violation.

Proposed law retains present law and adds that a catalytic converter seller or anyone who provides false information or documentation in violation of present law will be subject to criminal penalty.

(Amends R.S. 37:1891, 1892(2) and (4), 1893(A), (B), (C)(1) and (4)(a), (d), and (e), and (E), 1894(2), 1895(A)(intro. para.) and (C), and 1896(A) and (D); Adds R.S. 37:1893.1-1893.6 and 1895(A)(7))