

RÉSUMÉ DIGEST

ACT 373 (HB 547)

2023 Regular Session

Riser

New law changes in prior 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".

Prior law provided that a licensed person may buy detached catalytic converters.

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

Existing law defines "person".

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

Existing law requires a person to be licensed in order to sell or purchase catalytic converters.

New law requires a person to also have either an occupational license if it is required in the jurisdiction where the business is located or a transient merchant license.

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

New 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.

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

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

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

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

New law provides that a business location of a catalytic converter dealer is considered abandoned under certain circumstances. New 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 new law.

Prior law provided an exemption for a person who is in possession of one used catalytic converter if the person has documentation indicating how the catalytic converter was acquired.

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

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

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

Existing law provides certain criminal penalties for an unlicensed catalytic converter purchaser. Existing 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 existing law constitutes a separate violation.

New law adds that a catalytic converter seller or anyone who provides false information or documentation in violation of both new law and existing law will be subject to criminal penalty.

Effective August 1, 2023.

(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))