
The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Michelle Ducharme.

DIGEST

Gary Smith (SB 318)

Present law provides that it is a violation of law for a manufacturer, a distributor, a wholesaler, distributor branch, factory branch, converter or officer, agent, or other representative thereof to operate a satellite warranty and repair center, to authorize a person to perform warranty repairs who is not a motor vehicle dealer, or to authorize a motor vehicle dealer to operate a satellite warranty and repair center within the community or territory of a same-line or make motor vehicle dealer. Present law makes an exemption for recreational product manufacturer.

Proposed law retains present law and adds two exemptions as follows:

- (1) Emergency service of a motor vehicle with a gross vehicle weight rating of 12,000 lbs or more manufactured or sold by the manufacturer or distributor who is authorizing the warranty work to be performed.
- (2) A fleet owner or governmental entity that is authorized to perform warranty repairs on a vehicle owned by the fleet owner or governmental entity provided such fleet owner or governmental entity receives written permission to perform such repairs from the motor vehicle dealer in whose community or territory the fleet owner or governmental entity is located.

Proposed law defines "fleet owner or governmental entity" as a person or unit of government who owns or leases for its own use or a renting or leasing company who rents to a third party, 10 or more motor vehicles with a gross vehicle weight rating of 12,000 lbs or more manufactured or sold by the manufacturer or distributor who authorizes the warranty repairs to be performed.

Proposed law provides that warranty repairs that are subject to the provisions of law shall meet the same requirements for facilities and technician certification as are required for a franchise dealer.

Effective August 1, 2014.

(Amends R.S. 32:1261(A)(1)(t))