

Regular Session, 2014

SENATE BILL NO. 605

BY SENATOR MARTINY

COMMERCIAL REGULATIONS. Provides relative to the Louisiana Motor Commission.  
(8/1/14)

1 AN ACT

2 To amend and reenact R.S. 32:1261(A)(1)(m) and 1270.20(1)(m) and to repeal R.S.  
3 32:1270.1(1)(j) and 1270.11(1)(i), relative to the Louisiana Motor Vehicle  
4 Commission; to provide relative to unauthorized acts of a manufacturer, a distributor,  
5 a wholesaler, distributor branch, or factory branch of motor vehicles, marine  
6 products, motorcycles and all-terrain vehicles, and recreational vehicles or any  
7 officer, agent or representative thereof; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 32:1261(A)(1)(m) and 1270.20(1)(m) are hereby amended and reenacted to  
10 read as follows:

11 §1261. Unauthorized acts

12 A. It shall be a violation of this Chapter:

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

15 \* \* \*

16 (m) To fail to compensate its dealers for the work and services they are  
17 required to perform in connection with the dealer's delivery and preparation

1 obligations according to the terms of compensation ~~that shall be filed with the~~  
2 ~~commission on or before October first of each year.~~ The commission shall find the  
3 compensation to be reasonable or the manufacturer shall remedy any deficiencies.

4 \* \* \*

5 §1270.20. Unauthorized acts; recreational vehicles

6 It shall be a violation of this Chapter:

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

9 \* \* \*

10 (m) To fail to compensate its recreational vehicle dealers for the work and  
11 services they are required to perform in connection with the recreational vehicle  
12 dealer's delivery and preparation obligations according to the terms of compensation  
13 ~~that shall be filed with the commission on or before October first of each year.~~ The  
14 commission shall find the compensation to be reasonable or the manufacturer shall  
15 remedy any deficiencies.

16 \* \* \*

17 Section 2. R.S. 32:1270.1(1)(j) and 1270.11(1)(i) are hereby repealed.

---

The original instrument was prepared by Michelle Ducharme. The following digest, which does not constitute a part of the legislative instrument, was prepared by Ann S. Brown.

---

DIGEST

Martiny (SB 605)

Present law provides for the regulations of new cars, marine products, motorcycles and all-terrain vehicles and recreational vehicles by the La. Motor Vehicle Commission (commission).

Present law provides that it is a violation for a manufacturer, a distributor, a wholesaler, distributor branch, or facility branch of new cars, marine products, motorcycles and all-terrain vehicles, recreational vehicles or any officer, agent, or representative thereof to fail to compensate its dealers for the work and services that are required to be performed in connection with the dealer's delivery and preparation of obligations according to the terms of compensation that shall be filed with the commission on or before October first of each year. The commission shall find the compensation to be reasonable or the manufacturer shall remedy any deficiencies.

Proposed law repeals present law as it relates to marine products and motorcycles and all-terrain vehicles.

Proposed law, as it relates to new cars and recreational vehicles, revises the filing requirement with the commission.

Effective August 1, 2014.

(Amends R.S. 32:1261(A)(1)(m) and 1270.20(1)(m); repeals R.S. 32:1270.1(1)(j) and 1127.11(1)(i))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Commerce, Consumer Protection, and International Affairs to the original bill

1. Adds language relative to new cars and motorcycles and all-terrain vehicles.

Senate Floor Amendments to engrossed bill

1. Adds recreational vehicles to the revision of the filing requirement.