

SENATE BILL NO. 469

BY SENATOR WARD

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AN ACT

To amend and reenact R.S. 32:1252(8) and (56) and R.S. 39:2182(E), and to enact R.S. 32:1252(73) and (74) and 1254(P) and R.S. 39:2182(F), relative to motor vehicles; to provide for definitions; to exempt the procurement or sale of certain towable equipment from licensure; to authorize acceptance by a public entity of a valid dealer's license within a certain time period; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 32:1252(8) and (56) are hereby amended and reenacted and R.S. 32:1252(73) and (74) and 1254(P) are hereby enacted to read as follows:

§1252. Definitions

The following words, terms, and phrases, when used in this Chapter, shall have the meanings respectively ascribed to them in this Section, except where the context clearly indicates a different meaning:

* * *

(8) "Converter" or "secondary manufacturer" means 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, **but does not include towable equipment as defined in this Chapter.**

* * *

(56) "Trailer" means 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~~ **including but not limited to utility trailers, boat trailers, recreational trailers, semitrailers, livestock trailers, tow dollies; and dump trailers, and excluding towable equipment as**

1 defined in this Chapter.

2 * * *

3 (73) "Tow dolly" means a trailer equipped with one or more axles
4 designed to connect to a tow bar on the rear of a motor vehicle that is used to
5 tow another vehicle and is not a type of towable equipment as defined in this
6 Chapter. The front or rear wheels of the towed vehicle are secured to and rest
7 upon the tow dolly.

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

20 * * *

21 §1254. Application for license; requirements for licensure; contents; licenses;
22 franchise filings; exceptions

23 * * *

24 P. Notwithstanding any provision of law to the contrary and the
25 provisions of Subsection N of this Section, this Chapter shall not apply to the
26 procurement or sale of towable equipment as defined in this Chapter.

27 Section 2. R.S. 39:2182(E) is hereby amended and reenacted and R.S. 39:2182(F) is
28 hereby enacted to read as follows:

29 §2182. Prohibition of bids from or contracts with unlicensed dealers

30 * * *

1 E. Notwithstanding any provision of law to the contrary and the
2 provisions of Subsections B and C of this Section, a public entity may accept a
3 bid for the sale of vehicles submitted by a vehicle dealer who is licensed on the
4 bid opening date even when a copy of the valid dealer's license is not enclosed
5 with the original bid submission, provided that a copy of the dealer's valid
6 license is received by the public entity not later than ten business days following
7 the bid opening date.

8 F. If in the course of an audit or review by the legislative auditor, pursuant
9 to the powers and duties in R.S. 24:513, a violation of this Section is found, the
10 legislative auditor shall report such findings to the Louisiana Motor Vehicle
11 Commission.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____