
SENATE COMMITTEE AMENDMENTS

2021 Regular Session

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Original Senate Bill No. 210 by Senator Foil

1 AMENDMENT NO. 1

2 On page 1, line 2, delete "R.S. 51:1941(6), and" and insert "R.S. 51:1941(3) and (6),
3 1943(A), and the introductory paragraph of 1944(A),"

4 AMENDMENT NO. 2

5 On page 1, line 4, after "through 1270.39," insert "and to repeal R.S. 51:1948(E),"

6 AMENDMENT NO. 3

7 On page 3, line 6, change "**holding**" to "**who holds**"

8 AMENDMENT NO. 4

9 On page 3, line 8, after "**manufacturer,**" and before "**actively**" delete "**and**" and insert "**who**
10 **is**"

11 AMENDMENT NO. 5

12 On page 4, line 1, after "**regulations**" insert comma " ,"

13 AMENDMENT NO. 6

14 On page 4, line 11, delete "**Schedule**" and insert "**Notwithstanding the provisions of R.S.**
15 **32:1253(A)(3)(b), schedule**"

16 AMENDMENT NO. 7

17 On page 4, line 12, change "**R.S. 32:1252(A)(3)(a)**" to "**R.S. 32:1253(A)(3)(a)**"

18 AMENDMENT NO. 8

19 On page 4, line 14, after "**Part**" insert "**as authorized by R.S. 32:1260**"

20 AMENDMENT NO. 9

21 On page 5, line 28, delete "**Paragraphs (1) and**" and insert "**Paragraph**"

22 AMENDMENT NO. 10

23 On page 6, line 5, change "**Subsection (A)**" to "**Subsection A**"

24 AMENDMENT NO. 11

25 On page 6, delete lines 27 through 29 and on page 7, delete line 1

26 AMENDMENT NO. 12

27 On page 7, line 2, change "**D.**" to "**C.**"

28 AMENDMENT NO. 13

29 On page 8, delete line 11 and insert:

1
2 "Section 2. R.S. 51:1941(3) and (6), 1943(A), and the introductory paragraph of
3 1944(A) are hereby amended and reenacted to read as follows:"

4 AMENDMENT NO. 14

5 On page 8, between lines 14 and 15 insert:

6 "(3) "Dealer" means a person authorized by the manufacturer and actively
7 engaged in the business of buying, selling, or exchanging new automobiles, new
8 personal watercraft, or new all-terrain vehicles, ~~or new motor homes~~ at retail and
9 who has an established place of business.

10 * * *

11 AMENDMENT NO. 15

12 On page 8, after line 27, insert:

13 "§1943. Express warranties; time limit to conform
14 A.(1) It shall be presumed that a reasonable number of attempts have been
15 undertaken to conform a motor vehicle to the applicable express warranties if the
16 vehicle is out of service by reason of repair for a cumulative total of forty-five or
17 more calendar days or the same nonconformity has been subject to repair four or
18 more times by the manufacturer, its agent, or its authorized dealer within the
19 warranty term or during a period of one year following the date of the original
20 delivery of the motor vehicle to the consumer, whichever is the earlier date.
21 ~~(2)(a) Notwithstanding the provisions of Paragraph (1) of this Subsection, in~~
22 ~~the case of a motor home, the consumer shall provide written notification to the~~
23 ~~manufacturer of any of the following:~~
24 ~~(i) The need to repair the nonconformity.~~
25 ~~(ii) Evidence of a cumulative total of at least ninety days of the motor home~~
26 ~~being out of service.~~
27 ~~(iii) Evidence that the same nonconformity has been subject to repair four or~~
28 ~~more times by the manufacturer, its agent, or its authorized dealer within the~~
29 ~~warranty term or during a period of one year following the date of the original~~
30 ~~delivery of the motor vehicle to the consumer, whichever is the earlier date.~~
31 ~~(b) Upon such notification, the manufacturer shall have a final attempt to~~
32 ~~repair the vehicle. The manufacturer shall have five business days upon receipt of~~
33 ~~such notification to respond to the consumer as to where the motor home may be~~
34 ~~delivered for repair. The repair facility shall be one which is authorized by the~~
35 ~~manufacturer to perform the necessary warranty work.~~
36 ~~(c) Once delivered, the repair facility shall have ten business days within~~
37 ~~which to conform the vehicle to the applicable warranty. The time periods provided~~
38 ~~for in this Paragraph may only be extended if the consumer authorizes such~~
39 ~~extension in writing.~~
40 (3) If a manufacturer fails to respond to the consumer or to perform the
41 repairs within the time periods described in Paragraphs (1) and (2) of this Subsection,
42 such manufacturer shall be deemed to have waived his rights to a final attempt to
43 cure the nonconformity.

44 * * *

45 §1944. Motor vehicle replacement or refund
46 A. If a nonconformity in a motor home has not been repaired within the time
47 periods provided for in R.S. 32:1943(A)(2), or if after four or more attempts within
48 the express warranty term or during a period of one year following the date of the
49 original delivery to the consumer of a motor vehicle ~~which is not a motor home~~,
50 whichever is the earlier, the nonconformity has not been repaired or if the vehicle is
51 out of service by reason of repair for a cumulative total of ninety forty-five or more
52 calendar days during the warranty period, the manufacturer shall:

53 * * *

54 Section 3. R.S. 51:1948(E) is hereby repealed."