

designated repair facility 10 business days for repairs using replacement parts and 30 calendar days for structural repairs. Only written extensions of the repair time periods by the consumer are authorized. Proposed law provides that a manufacturer is deemed to have waived its right to a final attempt to cure the nonconformity if the manufacturer fails to respond or to perform the repairs in these time periods.

Proposed law extends the express warranty term for the consumer and the manufacturer when repair services are not available or cannot be performed because of war, pandemic, invasion, strike, fire, flood, or natural disaster.

Proposed law provides that upon the commission's determination of a recreational vehicle's nonconformity, the manufacturer, at its option, is required to either replace the vehicle with a comparable new recreational vehicle, or to accept return of the recreational vehicle and refund to the consumer the vehicle's full purchase price and collateral costs minus a reasonable allowance for the consumer's use of the vehicle prior to notice of a nonconformity or subsequent use when the vehicle was not out of service for repair.

Proposed law provides for that when the consumer receives a new recreational vehicle or refund, the consumer is required to surrender the certificate of title to the manufacturer not later than 30 days after offer to transfer title or not later than 30 days after the commission's decision.

Proposed law provides that a seller of a recreational vehicle previously returned to a manufacturer for nonconformity to warranty shall provide a written mandatory disclosure of nonconformity instrument to a buyer and subjects the manufacturer to a fine of not less than \$500 nor more than \$1,000 for each violation of non-disclosure.

Proposed law provides that its remedies, warranties, and preemptive periods relative to nonconformity defects of recreational vehicles are exclusive as between the manufacturer, dealer, and consumer.

Present law provides relative to the motor vehicle warranties law, (R.S. 51:1941 et seq.)

Present law defines a "motor vehicle" pursuant to motor vehicle warranties to include a motor home and the chassis and drive train of a motor home.

Proposed law removes motor home and the chassis and drive train of a motor home including the chassis and drive train from the definition and removes references to motor homes throughout the motor vehicle warranties law.

Effective August 1, 2021.

(Amends R.S. 32:1253(A)(3)(a) and R.S. 51:1941(3) and (6), 1943(A), and 1944(A)(intro para); adds R.S. 32:1270.31-1270.39; repeals R.S. 51:1948(E))

Summary of Amendments Adopted by Senate

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

1. Makes technical changes.
2. Requires warranty disputes be heard by the three-member panel of the La. Motor Vehicle Commission.
3. Provides which expenses are recoverable by the commission if a warranty dispute hearing is held.
4. Removes the requirement that a consumer first participate in the manufacturer's informal dispute resolution prior to a complaint being filed with the commission.