

2022 Regular Session

HOUSE BILL NO. 1016

BY REPRESENTATIVES STEFANSKI AND DEVILLIER

LICENSING: Establishes a catalytic converter sellers license

1 AN ACT

2 To enact Part II-B of Chapter 21 of Title 37 of the Louisiana Revised Statutes of 1950, to
3 be comprised of R.S. 37:1891 through 1896, relative to the licensing of sellers of
4 catalytic converters; to provide definitions; to provide for licensing requirements; to
5 provide for record keeping; to provide for exceptions; to provide for violations and
6 penalties; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Part II-B of Chapter 21 of Title 37 of the Louisiana Revised Statutes of
9 1950, comprised of R.S. 37:1891 through 1896, is hereby enacted to read as follows:

10 PART II-B. CATALYTIC CONVERTER SELLERS

11 §1891. Short title

12 This Part shall be known and may be cited as the "Louisiana Catalytic
13 Converter Sales Law".

14 §1892. Definitions

15 For purposes of this Part, the following words have the following meanings:

16 (1) "Catalytic converter" means an exhaust emission control device that
17 reduces toxic gas and pollutants from internal combustion engines.

18 (2) "Person" includes any corporation, limited liability company, partnership,
19 or two or more persons having a joint or common interest.

1 (3) "Catalytic converter seller" is a person licensed to sell catalytic
2 converters pursuant to the provisions of this Part.

3 §1893. License required; application; bond

4 No person shall do business as a catalytic converter seller in this state without
5 having first obtained the occupational license required by law. Any person desiring
6 a license as a catalytic converter seller shall make application in writing, specifying
7 the street number and house number of the building where the business is to be
8 carried on. He shall also submit with his application a bond in favor of the city or
9 parish, as the case may be, where the business is to be established in the sum of two
10 thousand five hundred dollars with security conditioned for the due observance of
11 all provisions of this Part.

12 §1894. Exemptions

13 The provisions of this Part shall not apply to:

14 (1) Persons solely engaged in the business of buying, selling, trading in, or
15 otherwise acquiring or disposing of motor vehicles and used parts of motor vehicles,
16 excluding tires and rims, nor wreckers or dismantlers of motor vehicles who are
17 licensed pursuant to the provisions of R.S. 32:783 et seq.

18 (2) Private residential sales commonly known as "garage sales" or "yard
19 sales" as long as such sales take place at a residential address.

20 (3) Any bona fide charity possessing a valid exemption under Section
21 501(c)(3) of the Internal Revenue Code.

22 (4) The operations of a company that has received a permit, registration, or
23 other authorization from the Department of Environmental Quality for the collection,
24 transportation, treatment, storage, processing of materials to be recycled or reused
25 or disposal of solid waste as defined in R.S. 30:2153.

- 1 (5) Persons operating as pawnbrokers pursuant to R.S. 37:1785.
- 2 §1895. Statement by seller required; record keeping
- 3 Any person who purchases a used catalytic converter shall obtain a signed
4 statement from the seller, and shall comply with the requirements of R.S. 37:1864.4
5 through 1866.
- 6 §1896. Failure to comply; penalty
- 7 A. Anyone acting as an unlicensed catalytic converter seller without
8 complying with the provisions of this Part shall be fined not less than two hundred
9 fifty dollars or be imprisoned not less than thirty days nor more than sixty days, or
10 both.
- 11 B. For a second offense, the offender shall be fined not more than two
12 thousand dollars or be imprisoned with or without hard labor for not more than two
13 years, or both.
- 14 C. For a third or subsequent offense, the offender shall be fined not more
15 than ten thousand dollars or be imprisoned with or without hard labor for not more
16 than five years, or both.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 1016 Original

2022 Regular Session

Stefanski

Abstract: Provides for licensing for people selling catalytic converters.

Present law provides a regulatory structure for secondhand dealers which serves to protect consumers and reduce the sale of stolen goods. Proposed law retains present law.

Proposed law provides definitions for "catalytic converter", "catalytic converter seller", and "person".

Proposed law requires any person selling catalytic converters to obtain an occupational license.

Proposed law exempts certain businesses from obtaining the license.

Proposed law provides for the following penalties for selling a catalytic converter without a license.

- (1) First offense, a fine of not less than \$250 or be imprisoned not less than 30 days nor more than 60 days, or both.
- (2) For a second offense, the offender shall be fined not more than \$2,000 or be imprisoned with or without hard labor for not more than two years, or both.
- (3) For a third or subsequent offense, the offender shall be fined not more than \$10,000 or be imprisoned with or without hard labor for not more than five years, or both.

(Adds R.S. 37:1891-1896)