

RÉSUMÉ DIGEST

ACT 584 (HB 1073)

2022 Regular Session

Goudeau

New law creates the "Louisiana Catalytic Converter Sales Law".

New law defines the terms "catalytic converter", "catalytic converter purchaser", "commission", and "person".

New law prohibits a person from doing business as a catalytic converter purchaser without a license. A person applying for a license pursuant to new law shall make an application in writing. A license issued pursuant to new law is valid for two years.

New law prohibits any person, firm, association, corporation, limited liability company, or trust from engaging in the business of purchasing used catalytic converters without a license.

New law requires a licensed catalytic converter purchaser to hold a separate license for each place of business where he purchases used catalytic converters.

New law requires the La. Used Motor Vehicle Commission (commission) to create a form to be used as an application for licensure and provides the required information the form must contain.

New law requires an applicant to sign the application and pay all applicable fees prior to obtaining a license. New law requires the return of licensing fees to the applicant if an application is denied.

New law requires that a late fee of \$100, plus any fines or costs, be paid for a license renewal, if the original license is expired prior to application for renewal.

New law requires a licensee to notify the commission within 10 days if there is a change to its name, address, or ownership status.

New law requires any licensee that ceases to maintain a business to surrender its license to the commission within 10 days.

New law requires the commission to indicate the business address on each license and requires the license holder to notify the commission if the address changes. New law requires the license to be posted in a conspicuous place in each place of business.

The commission is required to promulgate rules to implement provisions of new law.

New law does not apply to either a dealer licensed by the La. Motor Vehicle Commission or any person having only one detached catalytic converter, if he can show from where the catalytic converter was acquired through documentation.

New law prohibits a person from possessing, obtaining, acquiring, transporting, or selling more than one used, detached catalytic converter without providing certain documentation to law enforcement upon request.

Information collected pursuant to new law shall be maintained for three years. The information shall be made available for inspection by any peace officer, law enforcement official, or commission official at any time during that time period.

New law requires any person who buys a used, detached catalytic converter to obtain a signed statement from the seller attesting that the catalytic converter has been paid for or is owned by the seller. If the buyer fails to obtain the statement, that shall be prima facie evidence of fraudulent intent and guilty knowledge and sufficient to warrant a conviction. If the buyer obtains the statement, he shall be exonerated from any fraudulent, willful, or criminal knowledge within the meaning of new law.

A violation of new law subjects the violator to fines and imprisonment. The amount of the fine and duration of the imprisonment increases with each subsequent violation. Each catalytic converter purchased in violation of new law constitutes a separate violation.

Effective August 1, 2022.

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