

## HOUSE SUMMARY OF SENATE AMENDMENTS

HB 848

2026 Regular Session

Dewitt

MTR VEHICLE/DEALERS: Provides with respect to all terrain vehicle dealerships

### Synopsis of Senate Amendments

1. Defines "adequate facilities for the repair and servicing" as a bona fide service facility that is fully equipped, maintained, and available to perform repairs on all-terrain vehicles sold by that dealer, and that such facilities shall not consist solely of a location for the transfer of vehicles to another location.
2. Amends provision requiring a dealer of all-terrain vehicles to maintain adequate facilities for the repair and servicing of all-terrain vehicles to provide that a contracted third-party repair facility need be located within this state and within a radius of 25 miles of the dealer's established place of business.
3. Removes provision allowing a dealer of all-terrain vehicles to maintain adequate facilities for the repair and servicing of all-terrain vehicles to satisfy that requirement by a manufacturer-authorized service provider.

### Digest of Bill as Finally Passed by Senate

Present law defines "all-terrain vehicles" and "dealer". Proposed law amends definition of "all-terrain vehicle" in present law to include golf carts but otherwise maintains provisions of present law. Proposed law amends definition of "dealer" to add that, for purposes of all-terrain vehicles and golf carts, "dealer" includes any person, business, or entity that sells, offers for sale, or distributes such vehicles at retail, regardless of whether that person or entity is primarily engaged in another line of business, but otherwise retains present law.

Present law provides for additional licensing requirements for motor vehicle and recreational products dealers, and provides that an applicant must also furnish satisfactory evidence that the applicant maintains adequate space in the building or structure wherein the applicant's established business is conducted for the display of new motor vehicles or recreational products, together with adequate facilities for the repair and servicing of motor vehicles or recreational products and the storage of new parts and accessories for the repair and servicing. Present law also specifies that notwithstanding the provisions of present law and subject to written approval by the franchisor, adequate facilities for the repair and servicing of motor vehicles may be physically located in a building directly across a dedicated municipal street, but not more than 1,000 feet from the applicant's established place of business.

Proposed law defines "adequate facilities for the repair and servicing" as a bona fide service facility that is fully equipped, maintained, and available to perform warranty, routine maintenance, diagnostics, and commonly-required repairs on all-terrain vehicles sold by the dealer during normal business hours. Further provides that such facilities shall not consist solely of a location for the intake, storage, or transfer of vehicles to another location for repair or servicing and shall not rely primarily on the shipment of vehicles outside of the local service area for repair.

Proposed law amends present law to provide that an applicant to be a dealer of all-terrain vehicles shall have adequate repair facilities for the repair and servicing of those vehicles and adequate parts and accessories for that repair and servicing, which may be satisfied by any of the following:

- (1) Facilities located in the building where the dealer's established business is conducted

or within 1,000 feet of that place of established business.

- (2) A written contractual agreement with a third-party repair facility that is equipped and qualified to perform such repair and servicing, located within this state and within a radius of 25 miles of the dealer's established place of business.

Present law provides for unauthorized acts by a motorcycle or all-terrain vehicle dealer that shall be violations of present law.

Proposed law adds that it shall be a violation of proposed law for a dealer of all-terrain vehicles, including golf carts, to fail to maintain repair facilities and parts and accessories for repair and servicing, which may be satisfied by any of the same three options available for applicants to be dealers of all-terrain vehicles.

(Amends R.S. 32:1252(1) and (9) and 1254(E)(5)(a); Adds R.S. 32:1254(E)(5)(c) and 1270.11(2)(k))