

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Original Senate Bill No. 136 by Senator Chabert

1 AMENDMENT NO. 1

2 On page 1, delete line 2 and insert the following:

3 "To amend and reenact R.S. 32:1252(8) and (23) through (70), to enact R.S.
4 32:1252(71), 1261(A)(1)(x), 1262(B)(8), and 1283, and to repeal R.S.
5 32:1254(D)(6), relative to motor vehicles; to provide for definitions; to provide"

6 AMENDMENT NO. 2

7 On page 1, line 4, after "backs;" insert "to provide for choice of laws with regards to a
8 vehicle protection product warranty;

9 AMENDMENT NO. 3

10 On page 1, delete line 7 and insert the following:

11 "Section 1. R.S. 32:1252(8) and (23) through (70) are hereby amended and
12 reenacted and R.S. 32:1252(71), 1261(A)(1)(x), 1262(B)(8), and 1283 are hereby
13 enacted to read as"

14 AMENDMENT NO. 4

15 On page 1, between lines 8 and 9 insert the following:

16 "§1252. Definitions

17 The following words, terms, and phrases, when used in this Chapter, shall
18 have the meanings respectively ascribed to them in this Section, except where the
19 context clearly indicates a different meaning:

20 * * *

21 (8) "Converter" or "secondary manufacturer" means a person who prior to the
22 retail sale of motor vehicles **or trailers**, assembles, installs, or affixes a body, cab,
23 or special equipment to a chassis, or who substantially adds, subtracts from, or
24 modifies a previously assembled or manufactured motor vehicle **or trailers**.

25 * * *

26 **(23) "Low speed vehicle" means a four-wheeled, electric powered**
27 **vehicle with a maximum speed of not less than twenty miles per hour but not**
28 **more than twenty-five miles per hour and that possesses minimum motor**
29 **vehicle equipment appropriate for vehicle safety as required by 49 C.F.R.**
30 **571.500.**

31 ~~(23)~~ **(24)** "Manufacturer" means any person, resident or nonresident, who
32 fabricates, manufactures, or assembles motor vehicles, recreational products, or new,
33 remanufactured, reconditioned, or rebuilt motor vehicle or marine motors.

34 ~~(24)~~ **(25)** "Marine dealer" means any person who holds a bona fide contract
35 or franchise with a manufacturer or distributor of marine products, except for a
36 person engaged in the business of renting or selling new or used watercraft or boats
37 adapted to be powered only by an occupant's energy, and who holds a license as a
38 marine dealer under the provisions of this Chapter.

39 ~~(25)~~ **(26)** "Marine motor" means a motor that is a component of a marine
40 product that is sold separately from a boat when delivered to the marine dealer by the
41 distributor or manufacturer.

42 ~~(26)~~ **(27)** "Marine product" means a new or used watercraft, boat, or motor
43 designed for recreational or commercial use on water and a boat or watercraft trailer.
44 The term also includes an outboard motor or a boat with an inboard/outboard motor

1 attached to it. The term shall not mean a watercraft designed for use primarily for
 2 commercial purposes or new or used watercraft or boats adapted to be powered only
 3 by occupant's energy.

4 ~~(27)~~ **(28)** "Marine product line" means a particular model of a marine
 5 product designed for recreational or commercial use on water.

6 ~~(28)~~ **(29)** "Marine product salesman" means any natural person employed by
 7 a licensee of the commission whose duties include the selling, leasing, or offering
 8 for sale or lease, financing or insuring marine products on behalf of said licensee and
 9 who holds a motor vehicle salesman license under the provisions of this Chapter.

10 ~~(29)~~ **(30)** "Motorcycle" means a motor vehicle having a seat or saddle for the
 11 use of the rider and designed to travel on not more than three wheels in contact with
 12 the ground but excluding a tractor and electric-powered scooters not required to be
 13 registered.

14 ~~(30)~~ **(31)** "Motorcycle or all-terrain vehicle dealer" means any person who,
 15 for a commission or with intent to make a profit or gain of money or other thing of
 16 value, buys, sells, brokers, exchanges, auctions, offers, or attempts to negotiate a sale
 17 or exchange of an interest in motorcycles or all-terrain vehicles and who is engaged
 18 wholly or in part in the business of buying and selling motorcycles or all-terrain
 19 vehicles in the state of Louisiana and who holds a license as a recreational products
 20 dealer under the provisions of this Chapter.

21 (a) The term shall also include anyone not licensed under Chapter 6 of Title
 22 32 of the Louisiana Revised Statutes of 1950, who sells motorcycles or all-terrain
 23 vehicles and who rents on a daily basis motorcycles or all-terrain vehicles, not of the
 24 current year or immediate prior year models, that have been titled previously to an
 25 ultimate purchaser.

26 (b) "Motorcycle or all-terrain vehicle dealer" shall not include any of the
 27 following:

28 (i) Receivers, trustees, administrators, executors, guardians, or other persons
 29 appointed by or acting under the judgment or order of any court.

30 (ii) Public officers while performing their official duties.

31 (iii) Employees of motorcycle or all-terrain vehicle dealers when engaged in
 32 the specific performance of their duties as such employees.

33 (iv) Mortgagees or secured parties as to sales of motorcycles or all-terrain
 34 vehicles constituting collateral on a mortgage or security agreement.

35 (v) Insurance companies.

36 (vi) Auctioneers or auction houses who are not engaged in the auction of
 37 motorcycles or all-terrain vehicles as the principal part of their business, including
 38 but not limited to the following auctions: estate auctions, bankruptcy auctions, farm
 39 equipment auctions, or government auctions.

40 ~~(31)~~ **(32)** "Motorcycle or all-terrain vehicle salesman" means any natural
 41 person employed by a licensee of the commission whose duties include the selling,
 42 leasing, or offering for sale or lease, financing or insuring motorcycle or all-terrain
 43 vehicles on behalf of said licensee and who holds a motor vehicle salesman license
 44 under the provisions of this Chapter.

45 ~~(32)~~ **(33)** "Motor home" means a motor vehicle designed as an integral unit
 46 to be used as a conveyance upon the public streets and highways and for use as a
 47 temporary or recreational dwelling and having at least four of the following
 48 permanently installed systems which meet American National Standards Institute
 49 and National Fire Protection Association standards in effect as of the date of
 50 manufacture, two of which shall be systems specified below in Subparagraph (a), (d),
 51 or (e) of this Paragraph:

52 (a) Cooking facilities.

53 (b) Ice box or mechanical refrigerator.

54 (c) Potable water supply including plumbing and a sink with faucet either
 55 self-contained or with connections for an external source, or both.

56 (d) Self-contained toilet or a toilet connected to a plumbing system with
 57 connection for external water disposal, or both.

58 (e) Heating or air conditioning system, or both, separate from the vehicle
 59 engine or the vehicle engine electrical system.

1 (f) A one hundred ten/one hundred fifteen volt alternating current electrical
 2 system either with its own power supply or with a connection for an external source,
 3 or both, or a liquefied petroleum system and supply.

4 ~~(33)~~ **(34)** "Motor vehicle" means any motor driven car, van, or truck required
 5 to be registered which is used, or is designed to be used, for the transporting of
 6 passengers or goods for public, private, commercial, or for hire purposes.

7 ~~(34)(a)~~ **(35)(a)** "Motor vehicle dealer" means any person, not excluded by
 8 Subparagraph (b) of this Paragraph who holds a bona fide franchise in effect with a
 9 manufacturer or distributor of new motor vehicles, and a license under the provisions
 10 of this Chapter or a subsidiary of any such entity. Such duly franchised and licensed
 11 motor vehicle dealers shall be the sole and only persons entitled to sell, publicly
 12 solicit, and advertise the sale of new motor vehicles as such.

13 (b) The term "motor vehicle dealer" does not include any of the following:

14 (i) Receivers, trustees, administrators, executors, guardians, or other persons
 15 appointed by or acting under judgment or order of any court.

16 (ii) Public officers while performing or in operation of their duties.

17 (iii) Employees of persons enumerated in Item (i) of this Subparagraph when
 18 engaged in the specific performance of their duties as such employees.

19 (iv) Financial institutions engaged in the sale of motor vehicles for the
 20 collection of debts secured thereby.

21 ~~(35)(a)~~ **(36)(a)** "Motor vehicle lessor" shall mean any person, not excluded
 22 by Subparagraph (b) of this Paragraph, engaged in the motor vehicle, recreational
 23 products, or specialty vehicle leasing or rental business. It shall also include a
 24 subsidiary of any such entity.

25 (b) The term "motor vehicle lessor" does not include any of the following:

26 (i) Receivers, trustees, administrators, executors, guardians, or other persons
 27 appointed by or acting under judgment or order of any court.

28 (ii) Public officers while performing or in the operation of their duties.

29 (iii) Employees of persons, corporations, or associations enumerated in Item
 30 (i) of this Subparagraph when engaged in the specific performance of their duties as
 31 such employees.

32 (iv) Financial institutions engaged in the leasing of motor vehicles,
 33 recreational products, or specialty vehicles.

34 (c) Any motor vehicle lessor who rents on a daily basis motor vehicles,
 35 recreational products, or specialty vehicles not of the current year or immediate prior
 36 year models that have been titled previously to an ultimate purchaser, and who is
 37 otherwise not required to obtain a license under this Chapter, shall be subject to the
 38 regulation of the Louisiana Used Motor Vehicle Commission.

39 ~~(36)~~ **(37)** "Motor vehicle lessor agent" means any natural person, other than
 40 a daily rental person, employed by a motor vehicle lessor licensed by the commission
 41 whose duties include the leasing, renting or offering for lease or rent motor vehicles,
 42 recreational products, or specialty vehicles on behalf of said motor vehicle lessor.

43 ~~(37)~~ **(38)** "Motor vehicle lessor franchisor" means any person who grants a
 44 franchise to any person granting the right to lease or rent a motor vehicle,
 45 recreational product, or specialty vehicle under its trade name, trademark, or service
 46 mark or to sell used motor vehicles, recreational products, or specialty vehicles
 47 formerly a part of its rental fleet.

48 ~~(38)~~ **(39)** "Motor vehicle salesman" means any natural person employed by
 49 a licensee of the commission whose duties include the selling, leasing, or offering
 50 for sale or lease, financing or insuring motor vehicles, recreational products, or
 51 specialty vehicles on behalf of said licensee.

52 ~~(39)~~ **(40)** "New marine product" means a marine product, the legal title to
 53 which has never been transferred by a manufacturer, distributor, or dealer to an
 54 ultimate purchaser.

55 ~~(40)~~ **(41)** "New motorcycle or all-terrain vehicle" means a motorcycle or all-
 56 terrain vehicle, the legal title to which has never been transferred by a manufacturer,
 57 distributor, or dealer to an ultimate purchaser.

58 ~~(41)~~ **(42)** "New motor vehicle", "new recreational product", or "new specialty
 59 vehicle" means a motor vehicle, recreational product, or specialty vehicle, the legal
 60 title to which has never been transferred by a manufacturer, distributor, or dealer to
 61 an ultimate purchaser.

1 ~~(42)~~ **(43)** "New recreational vehicle" means a recreational vehicle, the legal
2 title to which has never been transferred by a manufacturer, distributor, or dealer to
3 an ultimate purchaser.

4 ~~(43)~~ **(44)** "Person" shall mean any natural or juridical person, firm,
5 association, corporation, trust, partnership, limited liability partnership, professional
6 liability corporation, or limited liability company or any other legal entity.

7 ~~(44)~~ **(45)** "Recreational products" means new and unused motorcycles, all-
8 terrain vehicles, marine products, recreational vehicles, and trailers as defined in this
9 Chapter.

10 ~~(45)~~ **(46)** "Recreational products dealer" means any person who, for a
11 commission or with intent to make a profit or gain of money or other thing of value,
12 buys, sells, brokers, exchanges, auctions, offers, or attempts to negotiate a sale or
13 exchange of an interest in recreational products and who is engaged wholly or in part
14 in the business of buying and selling recreational products in the state of Louisiana.

15 (a) The term shall also include anyone not licensed under Chapter 6 of Title
16 32 of the Louisiana Revised Statutes of 1950, who sells recreational products and
17 who rents on a daily basis recreational products, not of the current year or immediate
18 prior year models, that have been titled previously to an ultimate purchaser.

19 (b) "Recreational products dealer" shall not include any of the following:

20 (i) Receivers, trustees, administrators, executors, guardians, or other persons
21 appointed by or acting under the judgment or order of any court.

22 (ii) Public officers while performing their official duties.

23 (iii) Employees of recreational products dealers when engaged in the specific
24 performance of their duties as such employees.

25 (iv) Mortgagees or secured parties as to sales of recreational products
26 constituting collateral on a mortgage or security agreement.

27 (v) Insurance companies.

28 (vi) Auctioneers or auction houses who are not engaged in the auction of
29 recreational products as the principal part of their business, including but not limited
30 to the following auctions: estate auctions, bankruptcy auctions, farm equipment
31 auctions, or government auctions.

32 ~~(46)~~ **(47)** "Recreational vehicle" means a motorized or towable vehicle that
33 combines transportation and temporary living quarters for travel, recreation, and
34 camping. For purposes of this Chapter, a "recreational vehicle" includes new and
35 used motor homes, new and used travel trailers, new and used fifth-wheel travel
36 trailers, new and used folding camper trailers, and slide-in truck campers.

37 ~~(47)~~ **(48)** "Recreational vehicle dealer" means any person who, for a
38 commission or with intent to make a profit or gain of money or other thing of value,
39 buys, sells, brokers, exchanges, auctions, offers, or attempts to negotiate a sale or
40 exchange of an interest in recreational vehicles and who is engaged wholly or in part
41 in the business of buying and selling recreational vehicles in the state of Louisiana
42 and who holds a license as a recreational products dealer under the provisions of this
43 Chapter.

44 (a) The term shall also include anyone not licensed under Chapter 6 of Title
45 32 of the Louisiana Revised Statutes of 1950, who sells recreational vehicles and
46 who rents on a daily basis recreational vehicles, not of the current year or immediate
47 prior year models, that have been titled previously to an ultimate purchaser.

48 (b) "Recreational vehicle dealer" shall not include any of the following:

49 (i) Receivers, trustees, administrators, executors, guardians, or other persons
50 appointed by or acting under the judgment or order of any court.

51 (ii) Public officers while performing their official duties.

52 (iii) Employees of recreational vehicle dealers when engaged in the specific
53 performance of their duties as such employees.

54 (iv) Mortgagees or secured parties as to sales of recreational vehicles
55 constituting collateral on a mortgage or security agreement.

56 (v) Insurance companies.

57 (vi) Auctioneers or auction houses who are not engaged in the auction of
58 recreational vehicles as the principal part of their business, including but not limited
59 to the following auctions: estate auctions, bankruptcy auctions, farm equipment
60 auctions, or government auctions.

1 ~~(48)~~ **(49)** "Recreational vehicle salesman" means any natural person
 2 employed by a licensee of the commission whose duties include the selling, leasing,
 3 or offering for sale or lease, financing or insuring recreational vehicles on behalf of
 4 said licensee and who holds a motor vehicle salesman license under the provisions
 5 of this Chapter.

6 ~~(49)~~ **(50)** "Retail sale" or "sale at retail" means the act or attempted act of
 7 selling, bartering, exchanging, or otherwise disposing of a motor vehicle, recreational
 8 product, or specialty vehicle to an ultimate purchaser for use as a consumer.

9 ~~(50)~~ **(51)** "Satellite warranty and repair center" means a motor vehicle repair
 10 facility, other than at a motor vehicle dealer franchised location, approved by a
 11 manufacturer or distributor and authorized to perform warranty and other repairs on
 12 motor vehicles.

13 ~~(51)~~ **(52)** "Selling agreement" means any written contract or agreement
 14 between a marine dealer and a manufacturer, or its distributor or factory branch, by
 15 which the marine dealer is authorized to engage in the business of selling or leasing
 16 the specific makes, models, or classifications of marine products marketed or leased
 17 by the manufacturer, and designated in the selling agreement or any addendum
 18 thereto. For the purposes of this Paragraph, any written modification, amendment,
 19 or addendum to the original selling agreement that changes the rights and obligations
 20 of the parties to the original selling agreement shall constitute a new selling
 21 agreement, effective as of the date of the modification, amendment, or addendum.

22 ~~(52)~~ **(53)** "Specialty vehicle" means a motor vehicle manufactured by a
 23 second stage manufacturer by purchasing motor vehicle components, including
 24 frames and drive trains, and completing the manufacture of finished motor vehicles
 25 for the purpose of resale, with the primary manufacturer warranty unimpaired, to a
 26 limited commercial market rather than the consuming public. Specialty vehicle
 27 includes ambulances, fire trucks, garbage trucks, hearses, limousines, school buses,
 28 street sweepers, vacuum trucks, wreckers, and other similar limited purpose vehicles.
 29 Specialty vehicle does not include motor homes as defined in this Chapter.

30 ~~(53)~~ **(54)** "Specialty vehicle dealer" means any person who holds a bona fide
 31 franchise in effect with a converter or second stage manufacturer of specialty
 32 vehicles and a license under the provisions of this Chapter or a subsidiary of any
 33 such entity. Such duly franchised and licensed specialty vehicle dealer shall be the
 34 sole person entitled to sell, publicly solicit, and advertise the sale of specialty
 35 vehicles.

36 ~~(54)~~ **(55)** "Subsidiary " shall mean any person engaged in the selling or
 37 leasing of motor vehicles, recreational products, or specialty vehicles, in which a
 38 majority of the ownership interests of such entity is owned by a holder of a license
 39 issued by the commission.

40 ~~(55)~~ **(56)** "Trailer" means every single vehicle without motive power
 41 designed for carrying property or passengers wholly on its own structure, drawn by
 42 a motor vehicle which carries no part of the weight and load of the trailer on its own
 43 wheels and having one or more load carrying axles. "Trailer" includes but is not
 44 limited to utility trailers, boat trailers, recreational trailers, semitrailers, livestock
 45 trailers, **tow dollies**, and dump trailers.

46 ~~(56)~~ **(57)** "Ultimate purchaser" means, with respect to any new motor vehicle,
 47 recreational product, or specialty vehicle, the first person, other than a dealer
 48 purchasing in his capacity as a dealer, who in good faith purchases such new motor
 49 vehicles, recreational products, or specialty vehicles for purposes other than resale.
 50 "Ultimate purchaser" shall not include a person who purchases a motor vehicle or
 51 recreational product for purposes of altering or remanufacturing the motor vehicle
 52 or recreational product for future resale.

53 ~~(57)(a)~~ **(58)(a)** "Used marine dealer" means any person, whose business is
 54 to sell, or offer for sale, display, or advertise used marine products, or any person
 55 who holds a license from the commission and is not excluded by Subparagraph (b)
 56 of this Paragraph.

57 (b) "Used marine dealer" shall not include any of the following:

58 (i) Receivers, trustees, administrators, executors, guardians, or other persons
 59 appointed by or acting under the judgment or order of any court.

60 (ii) Public officers while performing their official duties.

1 (iii) Employees of persons, corporations, or associations defined as "used
2 marine dealers" when engaged in the specific performance of their duties as such
3 employees.

4 (iv) Mortgagees or secured parties as to sales of marine products constituting
5 collateral on a mortgage or security agreement and who do not maintain a used car
6 lot or building with one or more employed marine product salesman.

7 (v) Insurance companies who sell motor vehicles to which they have taken
8 title as an incident of payments made under policies of insurance and who do not
9 maintain a used car lot or building with one or more employed marine product
10 salesman.

11 (vi) Used motor vehicle dealers licensed pursuant to R.S. 32:781 et seq.

12 ~~(58)~~ **(59)** "Used marine product" means a marine product, the legal title of
13 which has been transferred by a manufacturer, distributor, or dealer to an ultimate
14 purchaser.

15 ~~(59)~~ **(60)** "Used marine product facility" means any facility which is owned
16 and operated by a licensee of the commission and offers for sale used marine
17 products.

18 ~~(60)~~ **(61)** "Used motorcycle or all-terrain vehicle" means a motorcycle or all-
19 terrain vehicle, the legal title of which has been transferred by a manufacturer,
20 distributor, or dealer to an ultimate purchaser.

21 ~~(61)(a)~~ **(62)(a)** "Used motorcycle or all-terrain vehicle dealer" means any
22 person, whose business is to sell, or offer for sale, display, or advertise used
23 motorcycles or all-terrain vehicles, or any person who holds a license from the
24 commission and is not excluded by Subparagraph (b) of this Paragraph.

25 (b) "Used motorcycle or all-terrain vehicle dealer" shall not include any of
26 the following:

27 (i) Receivers, trustees, administrators, executors, guardians, or other persons
28 appointed by or acting under the judgment or order of any court.

29 (ii) Public officers while performing their official duties.

30 (iii) Employees of persons, corporations, or associations enumerated in the
31 definition of "used motorcycle or all-terrain vehicle dealer" when engaged in the
32 specific performance of their duties as such employees.

33 (iv) Mortgagees or secured parties as to sales of motorcycles or all-terrain
34 vehicles constituting collateral on a mortgage or security agreement and who do not
35 maintain a used car lot or building with one or more employed motorcycle or all-
36 terrain vehicle salesman.

37 (v) Insurance companies who sell motorcycles or all-terrain vehicles to which
38 they have taken title as an incident of payments made under policies of insurance and
39 who do not maintain a used car lot or building with one or more employed
40 motorcycle or all-terrain vehicle salesman.

41 (vi) Used motorcycle or all-terrain vehicle dealers licensed pursuant to R.S.
42 32:781 et seq.

43 ~~(62)~~ **(63)** "Used motorcycle or all-terrain vehicle facility" means any facility
44 which is owned and operated by a licensee of the commission and offers for sale
45 used motorcycles or all-terrain vehicles.

46 ~~(63)~~ **(64)** "Used motor vehicle" means a motor vehicle, recreational product,
47 or specialty vehicle, the legal title of which has been transferred by a manufacturer,
48 distributor, or dealer to an ultimate purchaser.

49 ~~(64)(a)~~ **(65)(a)** "Used motor vehicle dealer" means any person, whose
50 business is to sell, or offer for sale, display, or advertise used motor vehicles,
51 recreational products, or specialty vehicles, or any person who holds a license from
52 the commission and is not excluded by Subparagraph (b) of this Paragraph.

53 (b) "Used motor vehicle dealer" shall not include any of the following:

54 (i) Receivers, trustees, administrators, executors, guardians, or other persons
55 appointed by or acting under the judgment or order of any court.

56 (ii) Public officers while performing their official duties.

57 (iii) Employees of persons, corporations, or associations enumerated in the
58 definition of "used motor vehicle dealer" when engaged in the specific performance
59 of their duties as such employees.

1 (iv) Mortgagees or secured parties as to sales of motor vehicles constituting
2 collateral on a mortgage or security agreement and who do not maintain a used car
3 lot or building with one or more employed motor vehicle salesman.

4 (v) Insurance companies who sell motor vehicles to which they have taken
5 title as an incident of payments made under policies of insurance and who do not
6 maintain a used car lot or building with one or more employed motor vehicle
7 salesman.

8 (vi) Used motor vehicle dealers licensed pursuant to R.S. 32:781 et seq.

9 ~~(65)~~ **(66)** "Used motor vehicle facility" means any facility which is owned
10 and operated by a licensee of the commission and offers for sale used motor vehicles,
11 recreational products, or specialty vehicles.

12 ~~(66)~~ **(67)** "Used recreational vehicle" means a recreational vehicle, the legal
13 title of which has been transferred by a manufacturer, distributor, or dealer to an
14 ultimate purchaser.

15 ~~(67)(a)~~ **(68)(a)** "Used recreational vehicle dealer" means any person, whose
16 business is to sell, or offer for sale, display, or advertise used recreational vehicles,
17 or any person who holds a license from the commission and is not excluded by
18 Subparagraph (b) of this Paragraph.

19 (b) "Used recreational vehicle dealer" shall not include any of the following:

20 (i) Receivers, trustees, administrators, executors, guardians, or other persons
21 appointed by or acting under the judgment or order of any court.

22 (ii) Public officers while performing their official duties.

23 (iii) Employees of persons, corporations, or associations enumerated in the
24 definition of "used recreational vehicle dealer" when engaged in the specific
25 performance of their duties as such employees.

26 (iv) Mortgagees or secured parties as to sales of recreational vehicles
27 constituting collateral on a mortgage or security agreement and who do not maintain
28 a used car lot or building with one or more employed recreational vehicle salesman.

29 (v) Insurance companies who sell recreational vehicles to which they have
30 taken title as an incident of payments made under policies of insurance and who do
31 not maintain a used car lot or building with one or more employed recreational
32 vehicle salesman.

33 (vi) Used recreational vehicle dealers licensed pursuant to R.S. 32:781 et seq.

34 ~~(68)~~ **(69)** "Used recreational vehicle facility" means any facility which is
35 owned and operated by a licensee of the commission and offers for sale used
36 recreational vehicles.

37 ~~(69)~~ **(70)** "Vehicle" means any motor vehicle, specialty vehicle, or
38 recreational product subject to regulation by this Chapter.

39 ~~(70)~~ **(71)** "Wrecker" means any motor vehicle equipped with a boom or
40 booms, winches, slings, tilt beds, or similar equipment designed for towing or
41 recovery of vehicles and other objects which cannot operate under their own power
42 or for some reason must be transported by means of towing.

43 * * *

44 AMENDMENT NO. 5

45 On page 1, line 14, after "survey" insert "that pertains to a dealership employee's
46 personal motor vehicle or specialty vehicle"

47 AMENDMENT NO. 6

48 On page 1, line 15, change "s" to "s" and delete lines 16 and 17

49 AMENDMENT NO. 7

50 On page 2, line 7, delete "and was not grossly negligent in" and insert "when"

51 AMENDMENT NO. 8

52 On page 2, line 8, after "information" insert "and otherwise complied with the program
53 requirements"

1 AMENDMENT NO. 9

2 On page 2, after line 12 insert the following:

3 **"§1283. Vehicle protection; warranty; venue; choice of law**
4 **A provision contained in a vehicle protection product warranty requiring**
5 **that arbitration or litigation be conducted outside this state or a provision that**
6 **seeks to apply any law other than Louisiana law to disputes between the parties**
7 **to a vehicle protection product warranty shall be void and unenforceable.**

8
9 Section 2. R.S. 32:1254(D)(6) is hereby repealed."