

Regular Session, 2014

SENATE BILL NO. 139

BY SENATOR MARTINY

COMMERCIAL REGULATIONS. Provides relative to marine products. (8/1/14)

1 AN ACT

2 To amend and reenact R.S. 32:1252(71) and 1270.1(1)(k) and to enact R.S. 32:1252(72) and
3 1270(G), relative to marine products; to provide for definitions; to provide relative
4 to unauthorized acts; to provide for exemptions; to provide for certain terms and
5 conditions; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 32:1252(71) and 1270.1(1)(k) are hereby amended and reenacted and
8 R.S. 32:1252(72) and 1270(G) are hereby enacted to read as follows:

9 §1252. Definitions

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

13 * * *

14 (71) "Watercraft" means any contrivance used or designated for
15 navigation on water, including but not limited to a personal watercraft as
16 defined in R.S. 34:855.2.

17 (72) "Wrecker" means any motor vehicle equipped with a boom or booms,

1 winches, slings, tilt beds, or similar equipment designed for towing or recovery of
2 vehicles and other objects which cannot operate under their own power or for some
3 reason must be transported by means of towing.

4 * * *

5 §1270. Establishment of new marine dealerships or relocations; protests; procedure

6 * * *

7 **G. The provisions of this Section shall not apply when the marine**
8 **products consist of a trolling motor, boat trailer or watercraft trailer.**

9 §1270.1. Unauthorized acts; marine products

10 It shall be a violation of this Part:

11 (1) For a manufacturer, a distributor, a wholesaler, distributor branch, or
12 factory branch of marine products or any officer, agent, or other representative
13 thereof:

14 * * *

15 (k) To fail to designate and provide to the commission in writing the
16 community or territory assigned to a licensee. **The provisions of this**
17 **Subparagraph shall not apply when the marine products consist of a trolling**
18 **motor, boat trailer or watercraft trailer.**

19 * * *

The original instrument was prepared by Michelle Ducharme. The following digest, which does not constitute a part of the legislative instrument, was prepared by Linda Nugent.

DIGEST

Martiny (SB 139)

Present law provides for definitions.

Proposed law retains present law and adds the definition of "watercraft" to mean any contrivance used or designated for navigation on water, including but not limited to a personal watercraft as defined by law.

Present law provides for the establishment of a new marine dealership.

Proposed law exempts from present law marine products consisting of trolling motors, or boat trailers or watercraft trailers.

Present law provides that it is a violation of law for a manufacturer, a distributor, a

wholesaler, distributor branch, or factory branch of marine products or any officer, agent, or other representative thereof to fail to designate and provide to the commission in writing the community or territory assigned to a licensee.

Proposed law exempts from present law marine products consisting of trolling motors, or boat trailers or watercraft trailers.

Effective August 1, 2014.

(Amends R.S. 32:1252(71) and 1270.1(1)(k); adds R.S. 32:1252(72) and 1270(G))

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.

Senate Floor Amendments to engrossed bill

1. Specifies that proposed law is not applicable to trolling motors, boat trailers or watercraft trailers.