
DIGEST

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Schexnayder

HB No. 1246

Abstract: Prohibits tire distributors from engaging in certain practices regarding the return or exchange of tires.

Proposed law prohibits a tire distributor who provides a tire retailer with a product other than the one ordered by the tire retailer from charging the tire retailer for the cost of the correct product to be sent to the tire retailer in exchange if all of the following apply:

- (1) The tire retailer notified the tire distributor of the error within 48 hours of delivery of the wrong product.
- (2) The tire distributor will pick up the original product at the same time the correct product is delivered.

Proposed law requires the tire distributor, if the tire retailer requests to return the incorrect product for a refund instead of an exchange, to issue a refund in the same method of payment as the original payment no later than 48 hours after the incorrect product has been picked up by the tire distributor.

Proposed law requires a tire distributor, if a tire retailer orders an incorrect product, to only charge the tire retailer for the cost of the new product to be provided that exceeds the cost paid by the tire retailer for the product originally ordered if all of the following apply:

- (1) The tire retailer notified the tire distributor of the error within 48 hours of delivery of the product.
- (2) The tire distributor will pick up the original product at the same time the new product is delivered.

Proposed law requires the tire distributor, if the cost of the new product to be delivered is less than the cost of the product originally ordered, to issue a refund for the difference in price in the same method of payment as the original payment no later than 48 hours after the original product has been picked up by the tire distributor.

Proposed law deems a violation of proposed law as a deceptive and unfair trade practice and the violator subject to any and all actions and penalties provided for present law relative to unfair trade practices.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 51:1422)