

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Original House Bill No. 770 by Representative Price

1 AMENDMENT NO. 1

2 On page 1, line 2, after "reenact" delete "R.S. 32:781(13)(a)(i)" and insert in lieu thereof
3 "R.S. 32:781(5) and (13)(a)(i)"

4 AMENDMENT NO. 2

5 On page 1, line 2, delete "R.S. 32:796" and insert in lieu thereof "R.S. 32:792(B)(17) and
6 796"

7 AMENDMENT NO. 3

8 On page 1, line 3, after "repeal" delete "R.S. 32:795" and insert "R.S. 32:792(B)(1)(d) and
9 795"

10 AMENDMENT NO. 4

11 On page 1, line 3, at the end of the line, change "definition" to "definitions"

12 AMENDMENT NO. 5

13
14 On page 1, line 4, after "of" delete "used motor vehicle" and insert "motor vehicle and used
15 motor vehicle dealer"

16 AMENDMENT NO. 6

17 On page 1, line 4, delete "for a nonexclusive listing of" and insert in lieu thereof "relative
18 to"

19 AMENDMENT NO. 7

20 On page 1, line 5, after "with" delete "his" and insert in lieu thereof "a" and at the end of the
21 line change "dealers" to dealer"

22 AMENDMENT NO. 8

23 On page 1, line 9, after "Section 1." delete "R.S. 32:781(13)(a)(i)" and insert in lieu thereof
24 "R.S. 32:781(5) and (13)(a)(i)"

25 AMENDMENT NO. 9

26 On page 1, line 10, after "and" delete "R.S. 32:796 is" and insert "R.S. 32:792(B)(17) and
27 796 are"

28 AMENDMENT NO. 10

29 On page 1, between lines 12 and 13, insert the following:

30 ***

31 (5) "Motor vehicle" means any motor-driven car, van, or truck required to
32 be registered pursuant to the Vehicle Registration License Tax Law, R.S. 47:451 et
33 seq., or any vehicle manufactured for off-road use and issued a manufacturer's

1 statement or certificate of origin, as required by the Louisiana Motor Vehicle
 2 Commission, that cannot be issued a registration certificate and license to operate on
 3 the public roads of this state because, at the time of manufacture, the vehicle does not
 4 meet the safety requirements prescribed by R.S. 32:1301 through 1310 which is used
 5 or is designed to be used, for the transporting of passengers or goods for public,
 6 private, commercial, or for-hire purposes and, including but not limited to motor
 7 homes, motorcycles, all-terrain vehicles, recreational vehicles, travel trailers, boat
 8 trailers, ambulances, buses, fire trucks, conversion vehicles, wreckers, semitrailers,
 9 hearses, and marine products, as any of the terms are defined in R.S. 32:1252."

10 AMENDMENT NO. 11

11 On page 2, delete lines 18, 19 and 21 through 29 in their entirety and on page 3, delete lines
 12 1 through 13 in their entirety and insert the following:

13 "(17) Use of false, misleading or unsubstantiated advertising in connection
 14 with his business. For the purpose of this Paragraph, false, misleading and
 15 unsubstantiated advertising in connection with the sale of a used motor vehicle shall
 16 include but not be limited to the following:

17 (a) Making unsubstantiated claims regarding the dealership, such as being
 18 the "largest" or "biggest" dealer, or being the "number one dealer" in an area.

19 (b) Advertising that notes will not have to be paid by the customer for a
 20 certain period of time, unless the dealer can substantiate the delay in payment and
 21 unless the delay is offered to all customers without restriction or limitation.

22 (c) Advertising a loan interest rate without including all restrictions or
 23 limitations in the same size lettering.

24 (d) Advertising guaranteed credit approval without including all restrictions
 25 or limitations and any required credit rating in the same size lettering.

26 (e) Advertising a monthly note without restriction or limitation and without
 27 reference to an approved credit rating in the same size lettering.

28 (f) Advertising a guaranteed amount for trade-ins.

29 (g) Advertising a price other than the full cash price for which the vehicle
 30 will be sold, except for tax, title and license which must be referenced.

31 (h) Advertising a price without providing a complete and accurate
 32 description of the vehicle, including make, model and model year and any
 33 identification and serial number of the vehicle.

34 (i) Performing a "bait and switch" in which the dealer does not have the
 35 vehicle advertised for sale and has not had the vehicle within a reasonable time from
 36 the advertisement."

37 AMENDMENT NO. 12

38 On page 3, at the end of line 17, delete "potential" and at the beginning of line 18, delete
 39 "purchaser" and insert in lieu thereof "customer"

40 AMENDMENT NO. 13

41 On page 3, line 18, after "which the" change "purchaser" to "customer"

42 AMENDMENT NO. 14

43 On page 3, at the end of line 23, delete "potential" and at the beginning of line 24, delete
 44 "purchaser" and insert in lieu thereof "customer"

45 AMENDMENT NO. 15

46 On page 3, line 24, after "which the" change "purchaser" to "customer"

1 AMENDMENT NO. 16

2 On page 4, at the end of line 1, delete "potential" and at the beginning of line 2, delete
3 "purchaser" and insert in lieu thereof "customer"

4 AMENDMENT NO. 17

5 On page 4, line 2, after "which the" change "purchaser" to "customer"

6 AMENDMENT NO. 18

7
8 On page 4, at the end of line 3, insert "abide by the following provisions and shall"

9 AMENDMENT NO. 19

10 On page 4, line 8, after "(3)" delete the remainder of the line and insert "Clear statements
11 that:"

12 AMENDMENT NO. 20

13 On page 4, line 11, after "dealer" delete "who" and after "withdraw" insert "from the
14 transaction"

15 AMENDMENT NO. 21

16 On page 4, line 12, at the beginning of the line, change "must" to "shall"

17 AMENDMENT NO. 22

18 On page 4, line 16, delete "potential purchaser" and insert in lieu thereof "customer"

19 AMENDMENT NO. 23

20 On page 4, line 17, after "insurance" insert a comma "," and "if the customer failed to
21 provide accurate or complete information necessary to obtain financing or insurance or
22 regarding the customer's ability to obtain credit or insurance," and after "treated" delete "as"

23 AMENDMENT NO. 24

24 On page 4, line 22, at the end of the line, delete "of the motor vehicle"

25 AMENDMENT NO. 25

26 On page 4, delete lines 23 through 25 in their entirety and insert the following:

27 "(6) The price of the vehicle and a description of the vehicle including the
28 make, model, year, identification and serial number and its condition.

29 (7) The amount of the trade-in allowance and a description of the trade-in
30 vehicle including the make, model, year, identification and serial number and its
31 condition."

32 AMENDMENT NO. 26

33 On page 5, line 23, delete "R.S. 32:795 is" and insert in lieu thereof "R.S. 32:792(B)(1)(d)
34 and 795 are"