
DIGEST

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HB 533 Reengrossed

2015 Regular Session

Price

Abstract: Provides for definitions and amends restrictions imposed on advertising relative to the regulation of used motor vehicles.

Present law defines the term "scrap metal processor". Proposed law modifies the definition by adding that any person or entity engaged in the business of storing scrap metal will also be considered a "scrap metal processor". Proposed law also adds a statutory reference to the definition of "scrap metal" within this definition of "scrap metal processor".

Present law authorizes the Louisiana Used Motor Vehicle Commission (commission) to revoke or suspend a license, issue a fine or penalty, or enjoin a used motor vehicle dealer, dealer of used parts or used accessories of motor vehicles, used motor vehicle auctioneer, or salesperson for the use of false, misleading, or unsubstantiated advertising in connection with his business. Present law includes a nonexclusive list enumerating examples of false, misleading, or unsubstantiated advertising. Proposed law adds advertising that uses the words "certified" or "certification" or other similar terms without having proof of a certification process approved by the commission to the enumerated list of false, misleading, or unsubstantiated advertising.

Present law defines "broker". Present law provides for circumstances in which the commission may revoke or suspend a license, issue a fine or penalty, or enjoin a used motor vehicle broker. Proposed law removes the definition of and all references to "broker".

(Amends R.S. 32:781(9); Adds R.S. 32:792(B)(17)(j); Repeals R.S. 32:781(1) and 792(C))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Commerce to the original bill:

1. Make technical changes.
2. Restore present law provisions regarding the rent with option-to-purchase program.
3. Clarify that it is considered false, misleading or unsubstantiated advertising to use the terms "certified" or "certification" without having proof of a certification process approved by the commission.

The House Floor Amendments to the engrossed bill:

1. Make a technical change.