
The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

SB 102 Original

DIGEST
2026 Regular Session

Pressly

Present law provides for licensing and compliance requirements by the Louisiana Motor Vehicle Commission for all license applicants and holders and that no license shall be transferable. Proposed law provides for an exception where a license may be transferable; such as when affiliated dealers are under common ownership or control; or when a motor vehicle salesman or a motor vehicle lessor agent is employed with multiple affiliated dealers with common ownership.

Present law establishes licensing and compliance requirements for manufacturers, distributors, wholesalers, converters or secondary manufacturers, distributors or wholesalers, factory branches and distributor branches. Proposed law removes provisions that would require a new license and application including a change in the name of a licensee, a change by a licensee in the makes, models, or classifications, requiring an addendum to a franchise agreement, of motor vehicles, recreational products, or specialty vehicles manufactured, distributed, or converted, or the addition of a make of motor vehicle or recreational product manufactured, distributed, or converted shall require a new license and application. Proposed law further provides a change of location, corporate ownership or majority ownership or change in the name of a licensee only require the licensee to file an amendment to the existing license.

Present law provides for additional licensing and compliance requirements for motor vehicle and recreational products dealers. Present law further provides applications for a license as a motor vehicle and recreational products dealer must also include a contract or franchise in effect between the applicant and a manufacturer or distributor of the new motor vehicle in the state of Louisiana. Proposed law adds a provision that the contract must also identify the individual named as a dealer-operator.

Present law requires the application to identify the individual named as dealer-operator and provide information as the commission deems necessary. Proposed law retains present law and provides for technical matters.

Present law provides for fees and penalties. Proposed law retains present law and also provides for licenses and temporary licenses.

Present law provides for defraying the cost of issuing licenses and reasonable fees assessed by the commission in the amounts of:

- (1) A maximum of \$1000 for each manufacturer, distributor, converter, motor vehicle lessor franchisor, or wholesaler, and factory branch or distributor branch for each year covered by

the license.

- (2) A maximum of \$300 for each motor vehicle dealer, specialty vehicle dealer, recreational products dealer, motor vehicle lessor, used motor vehicle dealer, factory representative, broker, distributor representative, or lease facilitator for each year covered by the license.
- (3) A maximum of \$30 license fee for each motor vehicle salesman and motor vehicle lessor agent for each year covered by the license.
- (4) A maximum of \$500 for auto shows, trade shows, and expositions.
- (5) A maximum of \$300 for satellite warranty and repair centers each year covered by the license.

Proposed law retains present law amounts and adds the cost of amending licenses and administering the provisions of the law and provides for technical matters.

Present law provides that persons failing to be licensed as required by the commission will pay a penalty that may be waived by the commission. Proposed law retains present law and provides for technical changes.

Proposed law provides for a licensed motor vehicle dealer in this state who is aggrieved by a violation to institute a civil action against any manufacturer, distributor, or other person.

Proposed law further allows a trade association that meets certain requirements to bring a civil action or intervene in a civil action in its own name or on behalf of one or more of its members for declaratory or injunctive relief.

Proposed law provides for remedies for motor vehicle dealer prevailing pursuant to proposed law of declaratory relief, injunctive relief, actual damages and treble damages, upon proof by clear and convincing evidence that the violation was willful, malicious, or in bad faith and reasonable costs and attorney fees. Proposed law further provides a prevailing trade association may be granted any of the following remedies: declaratory relief, injunctive relief, and reasonable costs and attorney fees.

Proposed law provides a civil action pursuant to proposed law may be brought before the commission or in any district court of competent jurisdiction. Proposed law further provides exhaustion of administrative remedies is not required prior to filing a civil action in district court.

Proposed law provides the district courts have concurrent jurisdiction to hear any claim arising pursuant to proposed law.

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

(Amends R.S. 32:1254(C)(11), (D)(4)(b), (E)(4)(a) and (6)-(11), and 1255; adds R.S. 32:1253.1)