
DIGEST

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HB 848 Reengrossed

2026 Regular Session

Dewitt

Abstract: Requires dealers of all-terrain vehicles to maintain repair facilities on-site or within 1000 feet of their place of business.

Present law defines "all-terrain vehicles" and "dealer". Proposed law amends definition of "all-terrain vehicle" in present law to include golf carts but otherwise maintains provisions of present law. Proposed law amends definition of "dealer" to add that, for purposes of all-terrain vehicles and golf carts, "dealer" includes any person, business, or entity that sells, offers for sale, or distributes such vehicles at retail, regardless of whether that person or entity is primarily engaged in another line of business, but otherwise retains present law.

Present law provides for additional licensing requirements for motor vehicle and recreational products dealers, and provides that an applicant must also furnish satisfactory evidence that the applicant maintains adequate space in the building or structure wherein the applicant's established business is conducted for the display of new motor vehicles or recreational products, together with adequate facilities for the repair and servicing of motor vehicles or recreational products and the storage of new parts and accessories for the repair and servicing. Present law also specifies that notwithstanding the provisions of present law and subject to written approval by the franchisor, adequate facilities for the repair and servicing of motor vehicles may be physically located in a building directly across a dedicated municipal street, but not more than 1,000 feet from the applicant's established place of business.

Proposed law amends present law to provide that an applicant to be a dealer of all-terrain vehicles shall have repair facilities and parts and accessories for that repair and servicing, which may be satisfied by any of the following:

- (1) Facilities located in the building where the dealer's established business is conducted or within 1,000 feet of that place of established business.
- (2) A written contractual agreement with a third-party repair facility that is equipped and qualified to perform such repair and servicing, located within this state and within a radius of 50 miles of the dealer's established place of business or within a reasonable distance such that service can be provided within five business days.
- (3) A manufacturer-authorized service provider.

Present law provides for unauthorized acts by a motorcycle or all-terrain vehicle dealer that shall be

violations of present law.

Proposed law adds that it shall be a violation of proposed law for a dealer of all-terrain vehicles, including golf carts, to fail to maintain repair facilities and parts and accessories for repair and servicing, which may be satisfied by any of the same three options available for applicants to be dealers of all-terrain vehicles.

(Amends R.S. 32:1252(1) and (9); Adds R.S. 32:1254(E)(5)(c) and 1270.11(2)(k))

Summary of Amendments Adopted by House

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

1. Make technical changes.
2. Provide that a dealer of all-terrain vehicles, or an applicant for a license to be a dealer of all-terrain vehicles, shall maintain repair facilities and parts and accessories for that repair and servicing, which may be satisfied by any of the following:
 - (a) Facilities located in the building or structure where the applicant's established business is conducted or within 1000 feet of the established place of business.
 - (b) A written contractual agreement with a third-party repair facility that is equipped and qualified to perform such repair and servicing, located within this state and within a radius of 50 miles of the dealer's established place of business, or within a reasonable distance such that service can be provided within five business days.
 - (c) A manufacturer-authorized service provider.

The House Floor Amendments to the engrossed bill:

1. Amend the definition of "dealer" to add that, for purposes of all-terrain vehicles and golf carts, "dealer" includes any person, business, or entity that sells, offers for sale, or distributes such vehicles at retail, regardless of whether that person or entity is primarily engaged in another line of business.