

2026 Regular Session

SENATE BILL NO. 102

BY SENATOR PRESSLY

MOTOR VEHICLES. Provides for rights of private action for certain trade associations.
(gov sig)

1 AN ACT
2 To enact R.S. 32:1253.1, relative to the Louisiana Motor Vehicle Commission Law; to
3 provide for a private right of action for trade associations; to provide for standing
4 and remedies; to provide for an effective date; and to provide for related matters.
5 Be it enacted by the Legislature of Louisiana:
6 Section 1. R.S. 32:1253.1 is hereby enacted to read as follows:
7 **§1253.1. Private right of action; association standing**
8 **A. A trade association may bring an action or intervene in an action in**
9 **its own name or on behalf of one or more of its members as provided in**
10 **Subsection B of this Section, provided it meets all of the following conditions:**
11 **(1) It is primarily comprised of and controlled by a minimum of one**
12 **hundred licensed motor vehicle dealers.**
13 **(2) A minimum of one of its members holds a valid license under this**
14 **Chapter and has standing to sue or intervene individually.**
15 **(3) The interests the association seeks to protect are germane to its**
16 **purpose.**
17 **(4) Neither the claim asserted nor the relief requested requires the**

1 **participation of individual members.**

2 **B. A trade association prevailing under this Section may be granted any**
3 **of the following remedies:**

4 **(1) Declaratory relief.**

5 **(2) Injunctive relief.**

6 **(3) Reasonable costs and attorney fees.**

7 **C. An action by a trade association under this Section may be brought**
8 **before the commission or in any district court of competent jurisdiction.**

9 Section 2. This Act shall become effective upon signature by the governor or, if not
10 signed by the governor, upon expiration of the time for bills to become law without signature
11 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
12 vetoed by the governor and subsequently approved by the legislature, this Act shall become
13 effective on the day following such approval.

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)]

DIGEST

SB 102 Engrossed

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Proposed law 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 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.

(Adds R.S. 32:1253.1)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Transportation, Highways, and Public Works to the original bill

1. Removes provisions related to dealers.
2. Removes provisions relative to licenses, fees and dealer operations.
3. Modifies provisions relative to association standing.