

# ACT No. 967

2026 Regular Session

HOUSE BILL NO. 848

BY REPRESENTATIVE DEWITT

1 AN ACT

2 To amend and reenact R.S. 32:1252(1) and (9) and 1254(E)(5)(a) and to enact R.S.  
3 32:1254(E)(5)(c) and 1270.11(2)(k), relative to motor vehicle dealers; to provide for  
4 definitions; to provide for licensing requirements for motor vehicle and recreational  
5 products dealers; to provide for repair facilities for all-terrain vehicle dealers; to  
6 provide for unauthorized acts; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 32:1252(1) and (9) and 1254(E)(5)(a) are hereby amended and  
9 reenacted and R.S. 32:1254(E)(5)(c) and 1270.11(2)(k) are hereby enacted to read as  
10 follows:

11 §1252. Definitions

12 The following words, terms, and phrases, when used in this Chapter, shall  
13 have the meanings respectively ascribed to them in this Section, except where the  
14 context clearly indicates a different meaning:

15 (1) "All-terrain vehicle" ~~shall mean~~ means any vehicle manufactured for off-  
16 road use and issued a manufacturer's statement or certificate of origin, as required  
17 by the commission, that cannot be issued a registration certificate and license to  
18 operate on the public roads of this state because, at the time of manufacture, the  
19 vehicle does not meet the safety requirements prescribed by R.S. 32:1301 through  
20 1310. This includes vehicles that are issued a title by the Department of Public  
21 Safety and Corrections, public safety services, such as golf carts and recreational and  
22 sports vehicles, but it ~~shall~~ does not include off-road vehicles used for farm purposes,  
23 farm equipment, electric-assisted bicycles, or heavy construction equipment.

24 \* \* \*

(9) "Dealer" means any person licensed to sell a motor vehicle, specialty vehicle, or recreational product subject to regulation by this Chapter. "Dealer", for purposes of all-terrain vehicles and golf carts, 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.

\* \* \*

§1254. Application for license; requirements for licensure; contents; licenses; franchise filings; exceptions

\* \* \*

E. Additional licensing and compliance requirements for motor vehicle and recreational products dealers.

\* \* \*

(5)(a) The 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. For purposes of this Subparagraph, "adequate facilities for the repair and servicing" means facilities sufficient to reasonably support warranty service, maintenance, and repair obligations associated with the recreational products sold by the dealer.

\* \* \*

(c)(i) A dealer of all-terrain vehicles, including golf carts, shall have adequate facilities for the repair and servicing of all-terrain vehicles and the storage of new parts and accessories for that repair and servicing, which may be satisfied by any of the following:

(aa) Adequate facilities for the repair and servicing of all-terrain vehicles and the storage of new parts and accessories for that repair and servicing located in the building or structure where the applicant's established business is conducted or within one thousand feet of the established place of business.

(bb) An agreement with a third-party warranty service provider that is equipped and qualified to perform that repair and servicing, located within this state and within a radius of forty miles of the dealer's established place of business. The dealer shall make available to the purchaser applicable warranty information relating to the vehicle.

(cc) An agreement with the manufacturer to provide an opportunity to the consumer to obtain service from a warranty-authorized service provider. The dealer shall make available to the purchaser applicable warranty information relating to the vehicle.

(dd) A manufacturer-authorized service provider.

(ii) Prior to the execution of any sale or financing agreement for an all-terrain vehicle, a dealer of all-terrain vehicles including golf carts shall provide written disclosure to the purchaser if warranty repair and service for that vehicle are to be performed primarily by a remote service facility pursuant to a contractual arrangement with another entity. That purchaser shall acknowledge receipt of the disclosure in writing prior to completion of the sale, and that dealer shall retain a copy of that acknowledgment in its records for three years or until expiration of the warranty, whichever is lesser. That disclosure shall include all of the following information:

(aa) The name and physical address of the remote service and repair facility.

(bb) The approximate distance between the dealership and the remote service  
and repair facility.

(cc) A statement advising the purchaser that certain warranty repair and  
services may require transportation of the vehicle to the remote service facility.

(iii) A dealer shall not be liable for any subsequent change in the availability, location, authorization, ownership, or operational status of a manufacturer-authorized service provider or third-party warranty service provider identified in the disclosure required by this Item (ii) of this Subparagraph, if that dealer acted in good faith and supplied accurate information at the time of sale.

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1           §1270.11. Unauthorized acts

2                   It shall be a violation of this Part:

3                                   \*           \*           \*

4                   (2) For a motorcycle or all-terrain vehicle dealer, used motorcycle or all-  
5           terrain vehicle dealer, or a motorcycle or all-terrain vehicle salesman:

6                                   \*           \*           \*

7                   (k) For a dealer of all-terrain vehicles, including golf carts, to fail to maintain  
8           repair facilities or otherwise comply with the requirements of R.S. 32:1254(E)(5)(c).

9                                   \*           \*           \*

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_