

**HOUSE COMMITTEE AMENDMENTS**

2015 Regular Session

Amendments proposed by House Committee on Commerce to Reengrossed Senate Bill No. 263 by Senator Thompson

1 AMENDMENT NO. 1

2 On page 1, line 7, after "liability;" insert "to provide for applicability;"

3 AMENDMENT NO. 2

4 On page 2, at the end of line 21, insert the following:

5 **"A dealer shall not include a person, firm, or corporation when all of the**  
 6 **following conditions are satisfied:**

7 **(a) The person, firm, or corporation has purchased new equipment from**  
 8 **a single construction equipment manufacturer that constitutes at least seventy-**  
 9 **five percent of the person's, firm's or corporation's new equipment calculated**  
 10 **on a net cost basis.**

11 **(b) New equipment as described in Subparagraph (a) of this Paragraph**  
 12 **includes one or more of each of the following:**

13 **(i) Longwall and highwall mining equipment.**

14 **(ii) Large, three thousand brake horsepower, commercial marine**  
 15 **propulsion engines.**

16 **(iii) Large, five thousand brake horsepower, natural gas driven**  
 17 **industrial engines.**

18 **(iv) Asphalt pavers.**

19 **(v) Self-propelled soil and asphalt compaction equipment.**

20 **(vi) Heavy duty tow trucks defined as a "Class 8 vehicle" in Title 55,**  
 21 **Part I of the Louisiana Administrative Code."**

22 AMENDMENT NO. 3

23 On page 3, line 22, after "replacement" delete "for the withdrawing"

24 AMENDMENT NO. 4

25 On page 3, line 24, after "agent" and before the comma "," insert "in approving new  
 26 dealers and agrees to be bound by the terms and conditions of the manufacturer's  
 27 standard dealer agreement"

28 AMENDMENT NO. 5

29 On page 3, line 28, after "shareholders" and before the period "." insert a comma "," and  
 30 "each of whom meets the qualifying criteria typically applied by the agent in approving  
 31 new dealers"

32 AMENDMENT NO. 6

33 On page 5, line 29, after "liable" insert "to an agent pursuant to the terms of any dealer  
 34 agreement between them"

35 AMENDMENT NO. 7

1 On page 6, between lines 1 and 2, insert the following:

2 "Section 2. A unilateral amendment or modification by an agent made on or after  
3 April 3, 2015, and before the effective date of this Act, to any dealer agreement between a  
4 dealer and such agent shall not be effective unless agreed to in writing by the dealer after the  
5 effective date of this Act.

6 Section 3. (A) The provisions of this Act shall not apply to any dealer agreement  
7 in effect as of the effective date of this Act, unless the dealer agreement does not have an  
8 expiration date or such agreement contains a provision giving the agent the unilateral right  
9 to amend the terms of the dealer agreement.

10 (B) If a dealer agreement in effect as of the effective date of this Act is amended or  
11 modified after the effective date of this Act, the provisions of this Act shall apply to the  
12 entirety of the dealer agreement beginning on the date of such amendment or modification."

13 AMENDMENT NO. 8

14 On page 6, line 2, change "Section 2." to "Section 4."