

SENATE SUMMARY OF HOUSE AMENDMENTS

SB 37

2025 Regular Session

Hensgens

KEYWORD AND SUMMARY AS RETURNED TO THE SENATE

MOTOR VEHICLES. Provides for the Louisiana Motor Vehicle Commission. (8/1/25)

SUMMARY OF HOUSE AMENDMENTS TO THE SENATE BILL

1. Make technical changes.
2. Restore present law regarding the chairman of the commission and appointment of commissioners from eight commission districts.
3. Remove provisions regarding the commissioners being appointed from the six congressional districts.
4. Clarify the structure and authority of the dispute resolution panel.
5. Move the language regarding judicial review pursuant to the APA.
6. Clarify that members of the dispute resolution panel shall be entitled to compensation in lieu of per diem paid to members of the commission.
7. Change who determines the amount and manner of compensation for the dispute resolution panel from the attorney general to the commission.
8. Clarify the minimum pay for the members of the dispute resolution panel.

DIGEST OF THE SENATE BILL AS RETURNED TO THE SENATE

SB 37 Engrossed

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Present law provides for 18 members of the Louisiana Motor Vehicle Commission (commission) to be appointed by the governor. A chairman of the commission shall be appointed from the state at large and 14 members shall be appointed in such a manner that each one shall be from each of the eight commission districts.

Present law provides that each of the commissioners appointed shall be an actively engaged licensee of the commission for not less than five consecutive years prior to being appointed.

Proposed law retains present law that provides for 18 members of the commission to be appointed by the governor subject to Senate confirmation, and maintain the requirement for the chairman of the commission to be appointed from the state at large, except removes the requirement that each of the commissioners shall be an actively engaged licensee of the commission for not less than five consecutive years prior to being appointed.

Proposed law provides that of the 18 members appointed, 15 members shall maintain an active license issued by the commission throughout their term and be a resident of the state and of good moral character at the time of the appointment.

Proposed law provides that among the 15 members, there shall be representation from the following industries:

- (1) Vehicle leasing or rental.
- (2) Heavy truck sales.
- (3) Marine product sales.
- (4) Motorcycle sales.

(5) Recreational vehicle sales.

(6) Sales financing.

Proposed law provides that three members shall be members of the public, which shall constitute a dispute resolution panel, who shall constitute the dispute resolution panel, each of whom shall be either a retired judge or an attorney licensed in the state with at least ten years of legal experience and who is not, and has never been, licensed by the commission.

Proposed law allows all persons or parties to dispute, protest, complaint, and other contested matter heard and determined by the dispute resolution panel.

Proposed law provides that the dispute resolution panel shall exclusively exercise the adjudicatory authority of the commission, including the power to issue subpoenas, compel the attendance of witnesses, administer oaths, and receive evidence in connection with any hearing or other proceeding within its jurisdiction and render final decisions. This authority includes the power to order remedies and impose fines as authorized by present and proposed law.

Proposed law provides that in the exercise of its investigatory function, the executive director may issue subpoenas, compel the attendance of witnesses, administer oaths, and receive evidence.

Proposed law provides that the jurisdiction of the dispute resolution panel shall include all disputes, protests, complaints, or other contested matters involving licensees of the commission and matters involving any person or entity operating without a required license, including those subject to licensure pursuant to present and proposed law. The members of the dispute resolution panel shall not participate in or vote on any of the other business of the commission.

Proposed law provides that nothing in proposed law shall preclude the commission from offering informal dispute resolution procedures prior to formal adjudication hearings, but no party shall be compelled to participate in informal resolution in lieu of a hearing before the dispute resolution panel.

Proposed law provides that the dispute resolution panel shall elect a chair to serve as the presiding officer for each proceeding.

Proposed law provides that the commission staff shall exercise the investigatory authority of the commission as delegated and subject to oversight by the commission.

Proposed law requires the attorney general to supervise legal services on behalf of the dispute resolution panel, including the appointment of independent legal counsel through the attorney general.

Proposed law provides that a final decision of the dispute resolution panel shall be in writing, shall state specific findings of fact and conclusions of law, and the decisions shall be based solely on the record and officially noticed matters.

Proposed law allows for any aggrieved party to seek judicial review, pursuant to the APA, of the final decision in the 24th JDC within 30 days of the date the decision is transmitted to the parties by certified mail. Further defines "aggrieved party".

Proposed law requires each member of the dispute resolution panel to receive compensation in lieu of the per diem paid to members if the commission, set by the commission and paid from the commission administrative funds, but shall not be less than the daily amount of compensation paid to retired judges or lawyers sitting pro tempore or ad hoc.

Proposed law provides that a licensee involved in more than one regulated business category is not disqualified from appointment to the commission.

Effective August 1, 2025.

(Amends R.S. 32:1253(A))