

RÉSUMÉ DIGEST

ACT 967 (HB 848)

2026 Regular Session

Dewitt

Existing law defines certain terms relative to motor vehicle dealers.

New law amends the definitions of "all-terrain vehicles" and "dealer".

New law amends "all-terrain vehicles" to include golf carts.

New law also amends "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.

New law otherwise retains existing law.

Existing law provides for additional licensing and compliance requirements for motor vehicle and recreational products dealers.

Existing law requires the applicant to furnish satisfactory evidence that the applicant has maintained adequate space for displaying new motor vehicles or recreational products and other amenities necessary for the repair and servicing of motor vehicles or recreational products.

New law retains existing law.

New law defines "adequate facilities for the repair and servicing" as facilities sufficient to reasonably support warranty service, maintenance, and repair obligations associated with the recreational products sold by the dealer.

New law requires a dealer of all-terrain vehicles, including golf carts, to have adequate facilities for the repair and servicing of all-terrain vehicles and for storing new parts and accessories needed for repair and servicing. New law also provides that a dealer may satisfy the adequate facilities requirements by providing any of the following:

- (1) Where the applicant's established business is conducted or within 1,000 feet of the established place of business.
- (2) A location based on an agreement between a third-party warranty service provider that is equipped and qualified to perform such repair and servicing, as long as the provider is located within this state and within a 40-mile radius of the dealer's established place of business.
- (3) An agreement with the manufacturer to provide an opportunity to the consumer to obtain service from a warranty-authorized service provider.
- (4) A manufacturer-authorized service provider.

New law requires an all-terrain vehicle and golf cart dealer to provide written disclosure to the purchaser when the warranty repair and service for that vehicle are being performed primarily by a remote service facility pursuant to a contractual arrangement with another entity. New law requires such disclosure to be made prior to the execution of any sale or financing agreement for an all-terrain vehicle.

New law requires the purchaser to acknowledge receipt of the disclosure in writing prior to the completion of the sale. New law also requires the dealer to retain a copy of the acknowledgment in its records for three years or until expiration of the warranty, whichever is less.

New law requires the disclosure to include all of the following information:

- (1) The name and physical address of the remote service and repair facility.
- (2) The approximate distance between the dealership and the remote service and repair facility.
- (3) A statement advising the purchaser that certain warranty repairs and services may require transportation of the vehicle to the remote service facility.

New law exempts a dealer who acts in good faith and supplied accurate information at the time of sale from liability 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.

Existing law provides for unauthorized acts by a motorcycle or all-terrain vehicle dealer that are considered violations of existing law (R.S. 32:1270.10-1270.19).

Existing law provides for violations committed by a motorcycle or all-terrain vehicle dealer, used motorcycle or all-terrain vehicle dealer, or a motorcycle or all-terrain vehicle salesman.

New law adds that a failure to maintain repair facilities or otherwise comply with the requirements of new law (R.S. 32:1254(E)(5)(c)) by a dealer of all-terrain vehicles, including golf carts, constitutes a violation.

Effective August 1, 2026

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