Landry (HB 508) **Act No. 379**

New law provides an exemption from state sales and use tax for the purchase by an individual of a motor vehicle that has been or will be modified in accordance with a medical prescription for use by a person who is permanently, orthopedically disabled at the time of purchase. The exemption does not extend to vehicles used for non-personal or commercial purposes, including ambulances, and travel trailers or other vehicles not designed to transport people.

New law defines "orthopedically disabled" as a person who has permanent, limited movement of body extremities and loss of physical functions which prevent the person from either operating or being transported in a motor vehicle that has not been specially modified.

New law provides a list of vehicle modifications relevant to the exemption, including wheelchair lifts, hoists, attached ramps, wheelchair hold-down clamps, special seat restraints, and the alteration of conventional brake, acceleration, or steering systems.

New law requires that the modifications be completed before a purchaser may claim a rebate. The claiming of a rebate shall be made pursuant to a procedure established by rule of the Dept. of Revenue. A rebate application must include specific information evidencing the purchaser's disability, the prescription for the vehicle modifications, and the purchase of the vehicle. The Dept. of Health and Hospitals is required to assist the Dept. of Revenue in the review of information submitted with rebate applications. New law authorizes the secretary of the Dept. of Revenue to pay rebates from general collections.

New law is applicable to purchases made beginning Jan. 1, 2010 through June 30, 2013.

Effective October 1, 2011.

(Adds R.S. 47:305.66)