



OFFICE OF LEGISLATIVE AUDITOR
Fiscal Note

Fiscal Note On: HB 804 HLS 12RS 1396
Bill Text Version: REENGROSSED
Opp. Chamb. Action:
Proposed Amd.:
Sub. Bill For.:

Table with metadata: Date: April 12, 2012 10:56 AM; Author: JAMES; Dept./Agy.: Louisiana Used Motor Vehicle Commission; Subject: Used motor vehicles; Analyst: Erica Martin

MOTOR VEHICLES RE SEE FISC NOTE SG RV See Note Page 1 of 1
Makes changes in the provisions regulating used motor vehicles

Purpose of Bill: This measure changes definitions and penalty provisions and establishes requirements for deposits and down payments relative to the regulation of used motor vehicles. This measure: (1) amends the definition of "motor vehicle", "used motor vehicle," "used motor vehicle dealer," and "rental dealer," (2) amends the violations for dismantlers, parts recyclers, motor vehicle crushers, and scrapped motor vehicle dealers to be the same as all other violations under the used motor vehicle regulatory provisions, (3) includes that the commission may revoke or suspend a license, issue a fine or penalty, or enjoin a dealer for improperly disposing of certificates of title or permits to dismantle in connection with the purchase or sale of any used motor vehicle, (4) amends the definition of "default" as it pertains to rent with option-to-purchase programs, and (5) requires every used motor vehicle dealer who accepts a deposit or down payment from a consumer to provide the consumer with a purchase agreement statement.

Table with 7 columns: EXPENDITURES, 2012-13, 2013-14, 2014-15, 2015-16, 2016-17, 5 -YEAR TOTAL. Rows include State Gen. Fd., Agy. Self-Gen., Ded./Other, Federal Funds, Local Funds, and Annual Total.

Table with 7 columns: REVENUES, 2012-13, 2013-14, 2014-15, 2015-16, 2016-17, 5 -YEAR TOTAL. Rows include State Gen. Fd., Agy. Self-Gen., Ded./Other, Federal Funds, Local Funds, and Annual Total.

EXPENDITURE EXPLANATION

There is no anticipated direct material effect on governmental expenditures as a result of this measure.

An official with the Louisiana Used Motor Vehicle Commission stated this bill will not have an impact on expenditures for the commission.

REVENUE EXPLANATION

Agency self-generated revenues may increase as a result of this measure.

This measure amends the violations for dismantlers, parts recyclers, motor vehicle crushers, and scrapped motor vehicle dealers to be the same as all other violations under the used motor vehicle regulatory provisions. The previous penalty was \$500 per day until the violation was cleared and this measure increases the penalty to no more than \$2,000. In addition, the commission may revoke or suspend a license, issue a fine or penalty, or enjoin a dealer for improperly disposing of certificates of title or permits to dismantle in connection with the purchase or sale of any used motor vehicle. Revenues may increase from these fines and penalties.

An official with the Louisiana Used Motor Vehicle Commission stated this bill is making the language uniform throughout the statutes. He said it could increase revenues if the commission were to assess a penalty for this violation, but the commission has not assessed a penalty of this nature in over 8 years.

Senate Dual Referral Rules House
[ ] 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H} [ ] 6.8(F)1 >= \$500,000 Annual Fiscal Cost {S}
[ ] 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H} [ ] 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}
Joy Irwin Director of Advisory Services