Regular Session, 2014

HOUSE BILL NO. 183

BY REPRESENTATIVE HARRIS

MOTOR VEHICLES: Provides relative to the Louisiana Motor Vehicle Sales Finance Act

1	AN ACT
2	To amend and reenact R.S. 6:969.18(A)(2) and to repeal R.S. 6:969.18(G), relative to the
3	Louisiana Motor Vehicle Sales Finance Act; to increase the documentation and
4	compliance fee authorized to be collected by a motor vehicle seller, who may be an
5	extender of credit, for certain transactions; to provide relative to the requirement of
6	disclosure of the documentation and compliance fee; to provide for an effective date;
7	and to provide for related matters.
8	Be it enacted by the Legislature of Louisiana:
9	Section 1. R.S. 6:969.18(A)(2) is hereby amended and reenacted to read as follows:
10	§969.18. Documentation and compliance fees; notary fees; transfer of equity and
11	other fees; disclosure
12	Α.
13	* * *
14	(2)(a) The seller, who may also be an extender of credit, may, in connection
15	with any retail sale, including but not limited to a retail installment transaction,
16	charge a fee for credit investigation, compliance with federal and state law,
17	preparation of the documents necessary to perfect or satisfy a lien upon the objects
18	sold, and any other functions incidental to the titling of the retail sale. The maximum
19	amount permitted to be charged shall be one two hundred dollars.
20	(b) When a seller, who may also be an extender of credit, charges a fee
21	pursuant to this Paragraph, a written disclosure shall be provided to the consumer
22	stating the amount of the fee collected pursuant to this Paragraph, along with the

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1	following statements in conspicuous type: "This fee is authorized by R.S.
2	6:969.18(A)(2). It is not a mandatory state fee. The seller, who may also be an
3	extender of credit, may charge the fee for credit investigation, compliance with
4	federal and state law, preparation of the documents necessary to perfect or satisfy a
5	lien upon the objects sold, and any other functions incidental to the titling of the
6	retail sale." The disclosure shall be printed on the bill of sale, buyer's order, or sales
7	contract which is signed by the buyer and retained by the buyer and seller.
8	* * *
9	Section 2. R.S. 6:969.18(G) is hereby repealed in its entirety.
10	Section 3. This Act shall become effective upon signature by the governor or, if not
11	signed by the governor, upon expiration of the time for bills to become law without signature
12	by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
13	vetoed by the governor and subsequently approved by the legislature, this Act shall become
14	effective on the day following such approval.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Harris

HB No. 183

Abstract: Increases the amount that a motor vehicle seller, who also may be an extender of credit, may charge for credit investigation, compliance with federal or state law, preparation of documents, and any other functions incidental to the titling of the retail sale from \$100 to \$200.

<u>Present law</u> provides that a motor vehicle seller, who also may be an extender of credit, may charge a fee for credit investigation, compliance with federal or state law, preparation of documents, and any other functions incidental to the titling of the retail sale. Further provides that the maximum permitted amount is \$100.

<u>Proposed law</u> changes the maximum fee permitted to be charged pursuant to <u>present law</u> from \$100 to \$200.

<u>Present law</u> requires the seller, who may also be an extender of credit, to provide written disclosure to the consumer of the amount of the fee collected as authorized by <u>present law</u> along with the following statements in conspicuous type: "This fee is authorized by R.S. 6:969.18(A)(2). It is not a mandatory state fee. The seller, who may also be an extender of credit, may charge the fee for credit investigation, compliance with federal and state law, preparation of the documents necessary to perfect or satisfy a lien upon the objects sold, and any other functions incidental to the titling of the retail sale."

Page 2 of 3

Proposed law retains present law and makes technical changes.

<u>Present law</u> further requires the disclosure to be printed on the bill of sale, buyer's order, or sales contract which is signed by the buyer and retained by the buyer and seller.

Proposed law retains present law and makes technical changes.

(Amends R.S. 6:969.18(A)(2); Repeals R.S. 6:969.18(G))

Summary of Amendments Adopted by House

Committee Amendments Proposed by <u>House Committee on Commerce</u> to the <u>original</u> bill.

1. Made technical additions.