

SENATE SUMMARY OF HOUSE AMENDMENTS

SB 318 By Senator Gary Smith**KEYWORD AND SUMMARY AS RETURNED TO THE SENATE**

WARRANTIES. Provides for the performance of warranty repairs on motor vehicles.
(8/1/14)

SUMMARY OF HOUSE AMENDMENTS TO THE SENATE BILL

1. Adds to the exemption from proposed law those motor vehicles designed for the movement of property, freight, or goods in intrastate or interstate commerce and vehicles designed for use in utility installation, maintenance, and repair which are owned or leased by certain fleet owners or governmental entities.
2. Clarifies provisions regarding notification to a dealer located in the same community or territory of the fleet owner or governmental entity to do warranty repairs.
3. Adds provision requiring a fleet owner or governmental entity performing warranty repairs to motor vehicles with a gross vehicle weight rating of 12,000 pounds or more, repairs to vehicles designed for the movement of property, freight, or goods in intrastate or interstate commerce, and repairs to vehicles designed for use in utility installation, maintenance, owned or leased by the fleet owner or governmental entity to meet the same requirements for special tools, equipment, and technician certification that are required of a franchise dealer authorized to make the same repairs on the same makes and models of motor vehicles being repaired.
4. Adds provision prohibiting the fleet owner or governmental entity from making repairs to the internal drive train or the after-treatment exhaust system of the motor vehicles.
5. Changes the definition of "fleet owner or governmental entity" to mean a person or unit of government that owns or leases for its own use or a renting or leasing company that rents to a third party 10 or more motor vehicles designed for the movement of property, freight, or goods in intrastate or interstate commerce and vehicles designed for use in utility installation, maintenance.

DIGEST OF THE SENATE BILL AS RETURNED TO THE SENATE

Gary Smith

SB No. 318

Present law provides that it is a violation of law for a manufacturer, a distributor, a wholesaler, distributor branch, factory branch, converter or officer, agent, or other representative thereof to operate a satellite warranty and repair center, to authorize a person to perform warranty repairs who is not a motor vehicle dealer, or to authorize a motor vehicle dealer to operate a satellite warranty and repair center within the community or territory of a same-line or make motor vehicle dealer. Present law makes an exemption for recreational product manufacturer.

Proposed law retains present law and adds two exemptions as follows:

- (1) Emergency service of a vehicle.
- (2) A fleet owner or governmental entity that is authorized to perform warranty repairs on vehicles with a gross vehicle weight rating of 12,000 pounds or more, vehicles designed for the movement of property, freight, or goods in intrastate or interstate commerce, and vehicles designed for use in utility installation, maintenance, and

repair owned or leased by a fleet owner or governmental entity as defined in proposed law.

Proposed law provides the dealer that sold motor vehicles to a fleet owner or governmental entity which vehicles have a gross vehicle weight rating of 12,000 pounds or more, or vehicles designed for the movement of property, freight, or goods in intrastate or interstate commerce, or vehicles designed for use in utility installation, maintenance may give notification and that a manufacturer that authorized the fleet owner or governmental entity to perform warranty repairs shall give notification of the authorization to the dealer located in the same community or territory where the fleet owner or governmental entity intends to perform the authorized warranty repairs. Requires that this notification include the type of warranty repairs authorized by the manufacturer.

Proposed law requires that a fleet owner or governmental entity performing warranty repairs meet the same requirements for special tools, equipment, and technician certification that are required of a franchise dealer authorized to make the same warranty repairs on the same makes and models of vehicles being repaired by a fleet owner or governmental entity.

Proposed law prohibits a fleet owner or governmental entity authorized to perform warranty repairs from making repairs to the internal drive train or the after-treatment exhaust system of such vehicles.

Proposed law defines "fleet owner or governmental entity" for purposes of proposed law to mean a person who or unit of government that owns or leases for its own use or a renting or leasing company that rents to a third party ten or more vehicles with a gross vehicle weight rating of 12,000 pounds or more, vehicles designed for the movement of property, freight, or goods in intrastate or interstate commerce, and vehicles designed for use in utility installation, maintenance.

Effective August 1, 2014.

(Amends R.S. 32:1261(A)(1)(t))

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