HLS 15RS-692 ORIGINAL

2015 Regular Session

HOUSE BILL NO. 478

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## BY REPRESENTATIVES MIGUEZ AND STUART BISHOP

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

AN ACT

MTR VEHICLE/REPAIRS: Provides relative to warranty repairs

2	To amend and reenact R.S. 32:1261(A)(1)(t), relative to warranty repairs; to provide relative
3	to unauthorized acts; to provide for exemptions; to provide for certain terms and
4	conditions; and to provide for related matters.
5	Be it enacted by the Legislature of Louisiana:
6	Section 1. R.S. 32:1261(A)(1)(t) is hereby amended and reenacted to read as
7	follows:
8	§1261. Unauthorized acts
9	A. It shall be a violation of this Chapter:
10	(1) For a manufacturer, a distributor, a wholesaler, distributor branch, factory
11	branch, converter or officer, agent, or other representative thereof:
12	* * *
13	(t) To operate a satellite warranty and repair center, to authorize a person to
14	perform warranty repairs who is not a motor vehicle dealer, or to authorize a motor
15	vehicle dealer to operate a satellite warranty and repair center within the community
16	or territory of a same-line or make motor vehicle dealer. This Subparagraph shall
17	not apply to recreational product manufacturers any of the following:
18	(i) Recreational product manufacturers.
19	(ii) Emergency service of a vehicle.

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

1	(iii) A fleet owner or governmental entity that is authorized to perform
2	warranty repairs on any of the following motor vehicles owned, leased, or
3	maintained by the fleet owner or governmental entity:
4	(aa) Those with a gross vehicle weight rating of twelve thousand pounds or
5	more.
6	(bb) Those designed for the movement of property, freight, or goods in
7	intrastate or interstate commerce.
8	(cc) Those designed for use in utility installation, maintenance, and repair.
9	* * *

## 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)]

HB 478 Original

2015 Regular Session

Miguez

**Abstract:** Provides a list of exemptions relative to restrictions on warranty repairs.

<u>Present law</u> provides that it shall be a violation 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. <u>Present law</u> exempts recreational product manufacturers from this restriction imposed by <u>present law</u>.

<u>Proposed law</u> enumerates a list of exemptions relative to this restriction imposed by <u>present law</u>. <u>Proposed law</u> includes recreational product manufacturers, emergency service of a vehicle, and fleet owners or governmental entities that are authorized to perform warranty repairs on motor vehicles that they own, lease, or maintain themselves in the enumerated list of exemptions. <u>Proposed law</u> limits the exemption as to fleet owners or governmental entities by requiring the motor vehicles they own, lease, or maintain to have a gross vehicle weight rating of at least 12,000 pounds, to be designed for use in intrastate or interstate commerce for the movement of property, freight, or goods, or to be designed for use in utility installation, maintenance, and repair.

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