

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS  
FISCAL IMPACT STATEMENT**

**LS 6399**  
**BILL NUMBER: SB 73**

**NOTE PREPARED:** Jan 28, 2025  
**BILL AMENDED:** Jan 28, 2025

**SUBJECT:** Sale of Utility Trailers.

**FIRST AUTHOR:** Sen. Dernulc  
**FIRST SPONSOR:**

**BILL STATUS:** CR Adopted - 1<sup>st</sup> House

**FUNDS AFFECTED:**  GENERAL  
 DEDICATED  
 FEDERAL

**IMPACT:** State & Local

**Summary of Legislation:** (Amended) The bill amends the definition of "motor vehicle" for purposes of dealer services provisions governing unfair practices and the succession to franchise by designated family members. It amends the definition of "trailer" for certain instances. It also specifies that the requirement that a dealer have an established place of business does not apply to a dealer selling trailers, unless the dealer is required to be licensed for an other purpose. The bill provides that a dealer selling trailers does not have to file certain information with the Secretary of State.

**Effective Date:** July 1, 2025.

**Explanation of State Expenditures:** This bill could decrease the workload of the Secretary of State (SOS) to investigate allegations of unfair practices made against trailer dealers.

**Explanation of State Revenues:** The bill removes trailers from the definition of "motor vehicle" for purposes of unfair practices, succession to franchise by designated family members, and maintaining an established place of business. Violations of these regulations is currently punishable as a Class A infraction but also could include civil penalties as ordered by the Secretary of State. These changes could decrease state revenue from unfair practice violations.

**Additional Information** - Unfair practices are potentially punishable with (1) a Class A infraction, that carries a maximum judgment of \$10,000 benefitting the General Fund *and* (2) a maximum \$10,000 civil penalty, deposited in the SOS Dealer Enforcement Account.

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:** *Penalty Provision:* If a reduction in court actions occur, local governments would receive less revenue from court fees. However, any reduction in revenue is likely to be small.

**State Agencies Affected:** SOS.

**Local Agencies Affected:** Trial courts, local law enforcement agencies.

**Information Sources:**

**Fiscal Analyst:** Bill Brumbach, 317-232-9559.