

2024 Regular Session

HOUSE BILL NO. 341

BY REPRESENTATIVE TARVER

MOTOR VEHICLES: Provides relative to motor vehicles and energy sources for motor vehicles

1 AN ACT

2 To enact Chapter 47 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised  
3 of R.S. 51:3031 through 3033, relative to motor vehicles and energy sources for  
4 motor vehicles; to provide a short title; to provide for definitions; to prohibit  
5 restrictions on the use, sale, or lease of certain motor vehicles; to provide for  
6 exceptions; to prohibit certain limitations on energy sources for motor vehicles; and  
7 to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. Chapter 47 of Title 51 of the Louisiana Revised Statutes of 1950,  
10 comprised of R.S. 51:3031 through 3033, are hereby enacted to read as follows:

11 CHAPTER 47. ~~LOUISIANA CAPITAL INVESTMENT~~

12 ~~TAX CREDIT~~ PRESERVING VEHICLE PURCHASE CHOICE ACT

13 §3031. Short title

14 This Chapter shall be known and may be cited as the "Preserving Vehicle  
15 Purchase Choice Act".

16 §3032. Definitions

17 For purposes of this Chapter, the following terms have the following  
18 meanings unless the context clearly indicates otherwise:

1           (1) "Energy source" means any fuel or power source used to power an  
2           engine. The term "energy source" also includes the energy types ascribed in R.S.  
3           51:3042.

4           (2) "Engine" means a machine for converting an energy source into  
5           mechanical force and motion, including a generator or an internal combustion  
6           engine.

7           (3) "Motor vehicle" includes any automobile, truck, truck-tractor, tractor,  
8           bus, vehicle, or other conveyance which is propelled by an internal combustion  
9           engine or motor and is licensed, or required to be licensed, for highway use.

10           (4) "Political subdivision" has the meaning ascribed to it in Article VI,  
11           Section 44(2) of the Constitution of Louisiana.

12           (5) "Retail service station" means that portion of a property where a  
13           flammable liquid used as motor fuel is stored and dispensed as an act of retail sale  
14           from fixed equipment into the fuel tank of a motor vehicle.

15           (6) "State agency" means all state offices, departments, divisions, boards,  
16           commissions, councils, committees, state colleges or universities, or other entities  
17           of the executive branch, offices and entities of the judicial branch, and offices and  
18           entities of the legislative branch of state government.

19           §3033. Sale and use of motor vehicles and fuel; limitations on state and local  
20           regulation

21           A.(1) No state agency or political subdivision shall adopt or enforce an  
22           ordinance, order, regulation, or similar measure that directly or indirectly prohibits  
23           or restricts the use, sale, or lease of a motor vehicle based on its energy source.

24           (2) This Subsection does not limit the authority of a state agency or political  
25           subdivision to adopt or enforce an ordinance, order, regulation, or similar measure  
26           relating to an engine unless it does either of the following:

27           (a) Effectively prohibits or restricts the use, sale, or lease of an engine.

28           (b) Preempts state or federal law.

1           B. No state agency and, pursuant to R.S. 51:3043, no political subdivision  
2           shall adopt or enforce an ordinance, order, regulation, or similar measure that limits  
3           access to an energy source for a motor vehicle. Nor shall a state agency or political  
4           subdivision adopt or enforce a measure that results in the effective prohibition of a  
5           wholesaler, retailer, energy producer, or related infrastructure, including a retail  
6           service station, that is necessary to provide access to a specific energy source.

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## 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)]

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HB 341 Original

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Tarver

**Abstract:** Prohibits a state agency or political subdivision from restricting the use, sale, or lease of a motor vehicle propelled by an internal combustion engine.

Proposed law provides that proposed law shall be known and cited as the "Preserving Vehicle Purchase Choice Act".

Proposed law defines "energy source", "engine", "motor vehicle", "political subdivision", "retail service station", and "state agency".

Proposed law provides that no state agency or political subdivision shall prohibit or restrict the use, sale, or lease of a motor vehicle based on its energy source.

Proposed law prohibits a state agency or political subdivision from limiting access to certain energy or fuel sources for a motor vehicle.

(Adds R.S. 51:3031 - 3033)