

Regular Session, 2012

SENATE BILL NO. 335

BY SENATOR MORRISH

PUBLIC SFTY/CORRECT DEPT. Provides relative to recreational vehicles. (7/1/12)

1 AN ACT

2 To amend and reenact R.S. 32:1256 and to enact R.S. 32:1256.1, relative to the Motor
3 Vehicle Commission; to provide relative to recreational vehicles; and to provide for
4 related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 32:1256 is hereby amended and reenacted and R.S. 32:1256.1 is
7 hereby enacted to read as follows:

8 §1256. Auto shows

9 The commission may authorize or prohibit motor vehicle ~~or recreational~~
10 ~~products~~ sales and shows at off-site locations. The commission may, in its discretion,
11 allow such sales and shows in accordance with the rules and regulations adopted by
12 the commission in accordance with the Administrative Procedure Act.

13 **§1256.1. Recreational product shows**

14 **A. The commission may regulate the conduct of trade shows and off-site**
15 **displays at which recreational products are displayed, auctioned, or sold. The**
16 **commission may prohibit any recreational products dealer not licensed**
17 **pursuant to this Chapter from participating in trade shows where recreational**

1 products are displayed, auctioned, or sold, except that a non-licensed
2 recreational product dealer who holds a current equivalent dealer license in
3 another state may participate in a trade show in Louisiana provided all of the
4 following criteria are satisfied:

5 (1) Louisiana recreational products dealers whose area of responsibility
6 for the brands they represent includes the location of the show have first been
7 given an option on space at the trade show.

8 (2) Non-Louisiana recreational vehicle, marine products, motorcycle,
9 and all-terrain vehicle dealers shall not show the same brand of recreational
10 vehicles, marine products, motorcycles, and all-terrain vehicles as shown by
11 participating Louisiana recreational products dealers.

12 (3) Non-Louisiana recreational vehicle, marine products, motorcycle,
13 and all terrain vehicle dealers shall purchase a temporary permit to attend the
14 show.

15 B. The commission may adopt rules and regulations consistent with the
16 provisions of this Section in accordance with the Administrative Procedure Act.

17 Section 2. Chapter 15, Subpart 1, Part V of Title 46 of the Louisiana Administrative
18 Code, entitled "Recreational Product Shows" and comprised of Sections 1501 through 1515,
19 is hereby declared null and void as of the effective date of this Act.

20 Section 3. This Act shall become effective on July 1, 2012; if vetoed by the governor
21 and subsequently approved by the legislature, this Act shall become effective on July 1,
22 2012, or on the day following such approval by the legislature, whichever is later.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Sharon F. Lyles.

DIGEST

Present law authorizes the Motor Vehicle Commission to allow or prohibit motor vehicle or recreational products sales and shows at off-site locations.

Present law further provides that the commission has discretion to allow such sales and shows in accordance with rules and regulations adopted by the commission in accordance with the Administrative Procedure Act.

Proposed law removes recreational products from present law and provides that the

commission may regulate the conduct of trade shows and off-site displays at which recreational products are displayed, auctioned, or sold.

Proposed law authorizes the commission to prohibit any non-licensed recreational products dealer from participating in such trade shows except that such dealer who is licensed in another state may participate in such trade shows in Louisiana under all the following criteria:

- (1) Louisiana recreational products dealers, whose area of responsibility for the brand they represent includes the location of the show, have been given first an option on space at the trade show.
- (2) Non-Louisiana recreational vehicle, marine products, motorcycle, and all-terrain vehicle dealers shall not show the same brand of recreational vehicles, marine products, motorcycles, and all-terrain vehicles as shown by participating Louisiana recreational products dealers.
- (3) Non-Louisiana recreational vehicle, marine products, motorcycle, and all terrain vehicle dealers shall purchase a temporary permit to attend the show.

Proposed law further provides that the commission may adopt rules and regulations consistent with provisions of proposed law in accordance with the Administrative Procedure Act.

Proposed law declares null and void as of July 1, 2012, Chapter 15, Subpart 1, Part V of Title 46 of the Louisiana Administrative Code, entitled "Recreational Product Shows" and comprised of Sections 1501 through 1515.

Effective date July 1, 2012.

(Amends R.S. 32:1256; adds R.S. 32:1256.1)