

HOUSE COMMERCE COMMITTEE

Minutes of Meeting
1997 Regular Session
May 6, 1997

I. CALL TO ORDER

Representative John Travis, Chairman of the House Commerce Committee, called the meeting to order at 9:15 a.m. in Committee Room 1 of the State Capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative John Travis,
Chairman
Representative Pete Schneider,
Vice Chairman
Representative Robert Barton
Representative Dan Flavin
Representative Mickey Frith
Representative Herman Hill
Representative Michael Michot
Representative Arthur Morrell
Representative Edwin Murray
Representative Gil Pinac
Representative Diane Winston

MEMBERS ABSENT:

Representative Tank Powell
Representative Sharon Weston

III. STAFF MEMBERS PRESENT

T. Michael White, Attorney
Cindy Mancuso, Attorney
Sandy Painting, Secretary
Ed Cailleateau and Tauris Ross, Sergeants at Arms

IV. DISCUSSION

House Bill No. 222 by Representative J. R. Smith

Representative Smith appeared before the committee to present House Bill No. 222, which redefines the terms "marine dealer" and "marine product".

Representative Travis offered an amendment to House Bill No. 222 on behalf of Representative Smith which provides that the exemption shall apply to boats adapted to be powered only by occupant's energy. There was no objection and this amendment was adopted by a vote of 8 yeas and 0 nays. Those members voting yea were Representatives Travis, Barton, Frith, Hill, Michot, Murray, Pinac, and Winston.

Representative Smith stated that the intent of this legislation was to remove canoe rentals from the requirements of the Used Motor Vehicle Commission.

There was no further discussion on House Bill No. 222.

Representative Barton made a motion to report House Bill No. 222 with amendments. There was no objection and House Bill No. 222 was reported with amendments by a vote of 8 yeas and 0 nays. Those members voting yea were Representatives Travis, Barton, Frith, Hill, Michot, Murray, Pinac, and Winston.

House Bill No. 1062 by Representative Green

Representative Green appeared before the committee to present House Bill No. 1062, which provides for the fee which can be charged by a private towing company or a private tow truck driver. He stated that this legislation would not allow the towing fee to be any more than the fee charged by the local governing authority.

Mr. Fred Burkett, executive director, Towing and Recovery Association, (504) 295-1338, appeared before the committee in opposition to House Bill No. 1062. He stated that the Public Service Commission has the authority to regulate towing but has given the authority to local governments until such time as they adopt rules and regulations.

Representative Barton asked if the bill could be amended to be a local bill. He offered an amendment to House Bill No. 1062 which would limit the proposed law to parishes with a population of 400,000 or more. There was no objection and this amendment was adopted by a vote of 9 yeas and 0 nays. Those members voting yea were Representatives Travis, Barton, Flavin, Frith, Hill, Michot, Murray, Pinac, and Winston.

Representative Murray made a motion to report House Bill No. 1062 with amendments. There was no objection and House Bill No. 1062 was reported with amendments by a vote of 9 yeas and 0 nays. Those members voting yea were Representatives Travis, Barton, Flavin, Frith, Hill, Michot, Murray, Pinac, and Winston.

House Bill No. 1144 by Representative Martiny

Representative Travis appeared before the committee on behalf of Representative Martiny and made a motion to defer action on House Bill No. 1144, which would permit the seller of a motor vehicle pursuant to a retail installment contract to charge a convenience fee. There was no objection and action was deferred on House Bill No. 1144 by a vote of 9 yeas and 0 nays. Those members voting yea were Representatives Travis, Barton, Flavin, Frith, Hill, Michot, Murray, Pinac, and Winston.

House Bill No. 199 by Representative Travis

Representative Travis appeared before the committee to present House Bill No. 199, which repeals the exemption from licensure by the Used Motor Vehicle and Parts Commission of licensees of the Louisiana Motor Vehicle Commission.

Ms. Linda Stroud, Used Motor Vehicle and Parts Commission, Baton Rouge, Louisiana, appeared before the committee for informational purposes only. She stated that the intent of this legislation was to delete the exemption from licensure because at the time this statute was implemented, used car dealers were not selling motor homes, buses, motorcycles and trailers.

Mr. Bob Israel, executive vice president, Louisiana Automobile Dealers Association, Baton Rouge, Louisiana, appeared before the committee in opposition to House Bill No. 199. He stated that present law is very clear. He stated that if you are licensed by the Louisiana Motor Vehicle Commission, then that is who regulates you. He stated that the Used Motor Vehicle and Parts Commission should not regulate someone who they do not license and feels that this legislation is unnecessary.

Representative Murray stated that this issue continues to come before this committee every session. He asked for an explanation.

Mr. Israel stated that it was simply a turf battle.

Mr. Jack Torrence, Used Motor Vehicle and Parts Commission, Baton Rouge, Louisiana, appeared before the committee for informational purposes only. He stated that this issue was not a turf battle but was an attempt to regulate the industry which the Used Motor Vehicle and Parts Commission is authorized to regulate.

Representative Travis asked if there are new car dealers that have more

than one used car lot.

Mr. Burgess McCraney, attorney, Louisiana Motor Vehicle Commission, appeared before the committee for informational purposes only. He stated that there are new car dealers that have more than one used car lot which are licensed by the new car commission.

Representative Flavin made a motion to defer action on House Bill No. 199. There was no objection and action was deferred on House Bill No. 199 by a vote of 8 yeas and 0 nays. Those members voting yea were Representatives Travis, Barton, Flavin, Frith, Hill, Michot, Murray, and Pinac.

House Bill No. 250 by Representative Travis

Representative Travis appeared before the committee to present House Bill No. 250, which would provide relative to the licensing of motor vehicle lessors and used motor vehicle dealers.

Mr. Michael Roberts, chairman, Louisiana Used Motor Vehicle and Parts Commission, Lafayette, Louisiana, appeared before the committee for informational purposes only. He stated that present law provides that a dealer can operate as a motor vehicle lessor or used motor vehicle dealer at the location they are licensed to do business without obtaining additional licenses. He stated that proposed law stated that if the motor vehicle dealer conducts such business of selling used motor vehicles at other locations, then he shall be required to obtain and hold a current license for each capacity and place of business from the Louisiana Used Motor Vehicle and Parts Commission.

Mr. Bob Israel, Louisiana Automobile Dealers Association, appeared before the committee in opposition to House Bill No. 250. He stated that this legislation was also unnecessary.

There was no further discussion on House Bill No. 250.

Representative Murray made a motion to defer action on House Bill No. 250. There was no objection and action was deferred on House Bill No. 250 by a vote of 7 yeas and 0 nays. Those members voting yea were Representatives Travis, Flavin, Frith, Hill, Michot, Murray, and Pinac.

House Bill No. 251 by Representative Travis

Representative Travis appeared before the committee to present House

Bill No. 251, which would provide for an exception of licensing requirements when the manufacturer of a product is also the dealer.

Mr. Mike White, attorney, House Commerce Committee, explained an amendment to be offered to House Bill No. 251. He stated that the amendment would provide that the exemption shall apply if the manufacturing process and the dealership operations are conducted from the same location and that multiple locations shall not be exempt.

Representative Travis offered the above described amendment to House Bill No. 251. There was no objection to this amendment and it was adopted by a vote of 7 yeas and 0 nays. Those members voting yeas were Representatives Travis, Flavin, Frith, Hill, Michot, Murray, and Pinac.

Mr. Michael Roberts, chairman, Louisiana Used Motor Vehicle and Parts Commission, Lafayette, Louisiana, appeared before the committee for informational purposes only. He stated that they had no problem with the above amendment and supported this legislation.

Mr. Bob Israel, Louisiana Automobile Dealers Association, appeared before the committee and stated that he no longer had any opposition to House Bill No. 251.

Representative Flavin made a motion to report House Bill No. 251 with amendments. There was no objection and House Bill No. 251 was reported with amendments by a vote of 9 yeas and 0 nays. Those members voting yeas were Representatives Travis, Barton, Flavin, Frith, Hill, Michot, Murray, Pinac, and Winston.

House Bill No. 252 by Representative Travis

Representative Travis appeared before the committee to present House Bill No. 252, which provides relative to the definition of "used motor vehicle".

Mr. Michael Roberts, chairman, Louisiana Used Motor Vehicle and Parts Commission, Lafayette, Louisiana, appeared before the committee for informational purposes only and stated that the intent of House Bill No. 252 was to define "used motor vehicle" which is a motor vehicle that has been titled and registered in this state or any other state.

Mr. Bob Israel, Louisiana Automobile Dealers Association, appeared before the committee in opposition to House Bill No. 252. He stated that he was opposed to the deletion and replacement of the term "ultimate consumer" with "licensed or titled in any other state".

There was no further discussion on House Bill No. 252.

Representative Pinac made a motion to defer action on House Bill No. 252. There was no objection and action was deferred on House Bill No. 252 by a vote of 8 yeas and 0 nays. Those members voting yea were Representatives Travis, Barton, Flavin, Frith, Hill, Michot, Murray, and Pinac.

House Bill No. 291 by Representative Travis

Representative Travis appeared before the committee to present House Bill No. 291, which defines and licenses "motor vehicle shredders" and provides for scrap metal processors.

Mr. Michael Roberts, chairman, Louisiana Used Motor Vehicle and Parts Commission, Lafayette, Louisiana, appeared before the committee for informational purposes only and stated that the intent of House Bill No. 291 was to require that a motor vehicle shredder be licensed and proof of ownership must be provided by the owner of the vehicle.

Mr. Richard Friedrichsen, president, SSX, LLC, Baton Rouge, Louisiana, (504) 355-4453, appeared before the committee for informational purposes only. He stated he saw no need for this legislation.

Representative Murray made a motion to report House Bill No. 291 favorably. Objection was raised and a roll call vote was taken. This motion failed by a vote of 3 yeas and 4 nays. Those members voting yea were Representatives Travis, Frith, and Murray. Those members voting nay were Representatives Barton, Hill, Michot, and Pinac.

Representative Pinac made a motion to defer action on House Bill No. 291 to which there was no objection. Action was deferred on House Bill No. 291 by a vote of 7 yeas and 0 nays. Those voting yea were Representatives Travis, Barton, Frith, Hill, Michot, Murray, and Pinac.

House Bill No. 367 by Representative Travis

Representative Travis appeared before the committee to present House Bill No. 367, which requires an automobile repair facility to provide a detailed invoice to consumers.

Ms. Cindy Mancuso, attorney, House Commerce Committee, explained an amendment to be offered to House Bill No. 367. She stated that this amendment would require that an automobile repair facility invoice state what new original or nonoriginal manufacturer parts were used and also a description of the vehicle identification number, make, model, and

mileage.

Representative Travis offered the above described amendment to House Bill No. 367. There was no objection and this amendment was adopted by a vote of 8 yeas and 0 nays. Those voting yea were Representatives Travis, Barton, Flavin, Frith, Hill, Michot, Murray, and Pinac.

Ms. Ann Spink, Attorney General Task Force, 9818 Shamrock Avenue, Denham Springs, Louisiana, 70726, (504) 665-7427, appeared before the committee in support of House Bill No. 367. She stated that this legislation would protect the consumer.

Representative Flavin made a motion to report House Bill No. 367 with amendments. There was no objection and House Bill No. 367 was reported with amendments by a vote of 7 yeas and 0 nays. Those members voting yea were Representatives Travis, Schneider, Barton, Flavin, Hill, Morrell, and Murray.

House Bill No. 1976 by Representative Dimos

Representative Dimos appeared before the committee to present House Bill No. 1976, which would provide relative to towing and storage of motor vehicles.

Ms. Cindy Mancuso, attorney, House Commerce Committee, explained an amendment to be offered to House Bill No. 1976. She stated that the amendment would state that this legislation would not apply to parishes with a population of less than 400,000.

Representative Travis offered the above described amendment to House Bill No. 1976.

Representative Murray objected and asked that he be given a chance to discuss this amendment with everyone involved before offering same and it was agreed upon by the committee to put this amendment aside.

Representative Travis offered an amendment to House Bill No. 1976 which would require the operator of a storage facility to notify within seven days of the time that a vehicle is placed in a storage facility, in writing, by certified letter, the last registered owner. There was no objection and this amendment was adopted by a vote of 8 yeas and 0 nays. Those members voting yea were Representatives Travis, Schneider, Barton, Flavin, Frith, Hill, Morrell, and Murray.

Mr. John Williams, Citizens Financial Services, 1911 Roselawn, Monroe, Louisiana 71201, (318) 324-0011, appeared before the committee in support of House Bill No. 1976 and asked the committee for its favorable vote.

Ms. Cindy Mancuso, attorney, House Commerce Committee, explained another version of Representative Murray's previously discussed amendment. She stated that the amendment would state that the

provisions of this Chapter shall not apply to the state or any local governing authority who conducts its own or contracts for motor vehicle towing and storage operation.

Representative Murray offered the above described amendment to House Bill No. 1976. There was no objection and this amendment was adopted by a vote of 8 yeas and 0 nays. Those members voting yeas were Representatives Travis, Schneider, Barton, Flavin, Frith, Hill, Morrell, and Murray.

Mr. Fred Burkett, executive director, Towing and Recovery Association, (504) 295-1338, appeared before the committee in opposition to House Bill No. 1976. He stated that currently all public entities are exempt from the Towing and Storage Act.

Mr. James Smart, RoadRunner Towing, 9101 Veterans Memorial Blvd., Baton Rouge, Louisiana 70807, (504) 356-3738, appeared before the committee in opposition to House Bill No. 1976. He stated that the storage of vehicles and the problems that went along with it did not bring in quite the revenues expected by some and that this legislation would be unfair to the towing industry.

Representative Barton made a motion to defer action on House Bill No. 1976.

Representative Murray made a substitute motion to report House Bill No. 1976 with amendments. This motion failed by a vote of 4 yeas and 6 nays. Those members voting yeas were Representatives Frith, Hill, Morrell, and Murray. Those members voting nays were Representatives Schneider, Barton, Flavin, Michot, Pinac, and Winston.

There was no objection to Representative Barton's original motion and action was deferred on House Bill No. 1976 by a vote of 11 yeas and 0 nays. Those voting yeas were Representatives Travis, Schneider, Barton, Flavin, Frith, Hill, Michot, Morrell, Murray, Pinac, and Winston.

House Bill No. 1345 by Representative Hebert

Representative Hebert appeared before the committee to present House Bill No. 1345, which would permit lenders who finance the purchase of motor vehicles to escrow funds to purchase insurance. He stated that the intent of this legislation was to lower the cost of insurance. He stated that this legislation is modeled after homeowners' insurance and would assure that all drivers had insurance if the costs were factored in the loan when a vehicle was purchased.

Representative Pinac was opposed to this legislation because it stated that the lending institution would be held liable if it failed to obtain the motor vehicle liability insurance.

Mr. Bob Taylor, Louisiana Bankers Association, (504) 387-3282, appeared before the committee in opposition to House Bill No. 1345. He agreed with the opposition of Representative Pinac.

Representative Hebert stated that the reason our insurance rates were so expensive was because we have so many uninsured drivers. He urged the committee to report this legislation favorably.

Representative Flavin made a motion to defer action on House Bill No. 1345. Objection was raised and a roll call vote was taken. This motion failed by a vote of 4 yeas and 6 nays. Those voting yeas were Representatives Travis, Flavin, Pinac, and Winston. Those voting nay were Representatives Schneider, Frith, Hill, Michot, Morrell, and Murray.

Representative Murray made a motion to report House Bill No. 1345 favorably. Objection was raised and a roll call vote was taken. This motion failed by a vote of 5 yeas and 5 nays. Those members voting yeas were Representatives Frith, Hill, Michot, Morrell, and Murray. Those members voting nay were Representatives Travis, Schneider, Flavin, Pinac, and Winston.

Representative Morrell made a motion to report House Bill No. 1345 without action. Objection was raised and a roll call vote was taken. This motion failed by a vote of 5 yeas and 5 nays. Those voting yeas were Representatives Frith, Hill, Michot, Morrell, and Murray. Those voting nay were Representatives Travis, Schneider, Flavin, Pinac, and Winston.

Representative Flavin made a motion to defer action on House Bill No. 1345.

Representative Murray made a substitute motion to report House Bill No. 1345 unfavorably. A roll call vote was taken and House Bill No. 1345 was reported unfavorably by a vote of 6 yeas and 4 nays. Those voting yeas were Representatives Schneider, Frith, Hill, Michot, Morrell, and Murray. Those voting nay were Representatives Travis, Flavin, Pinac, and Winston.

House Bill No. 412 by Representative Travis

Representative Travis appeared before the committee to present House Bill No. 412, which would provide for general regulation of automobile body repair facility owners and for the rulemaking authority of the Used Motor Vehicle and Parts Commission. He stated that he had met with the industry and agreed to study this issue during the interim.

Representative Travis made a motion to defer action on House Bill No. 412 and requested further study of this issue during the interim. There was no objection and action was deferred on House Bill No. 412 by a vote of 11 yeas and 0 nays. Those voting yeas were Representatives Travis, Schneider, Barton, Flavin, Frith, Hill, Michot, Morrell, Murray, Pinac, and Winston.

House Bill No. 1540 by Representative Hammett

Representative Hammett appeared before the committee to present House Bill No. 1540, which would revise minimum requirements for registration of engineers and land surveyors and the application of registration provisions to certain previously exempted persons. He asked that this issue be studied during the interim.

Representative Travis made a motion to defer action on House Bill No. 1540 and requested further study of this issue during the interim. There was no objection and action was deferred on House Bill No. 1540 by a vote of 10 yeas and 0 nays. Those voting yeas were Representatives Travis, Schneider, Barton, Flavin, Frith, Hill, Michot, Morrell, Murray, and Winston.

House Bill No. 1579 by Representative Hammett

Representative Hammett appeared before the committee to present House Bill No. 1579, which would remove the requirement of continuing education for engineers practicing architecture.

At the request of Representative Hammett, Representative Travis made a motion to defer action on House Bill No. 1579. There was no objection and action was deferred on House Bill No. 1579 by a vote of 10 yeas and 0 nays. Those voting yeas were Representatives Travis, Schneider, Barton, Flavin, Frith, Hill, Michot, Morrell, Murray, and Winston.

House Bill No. 1541 by Representative Hammett

Representative Hammett appeared before the committee to present House Bill No. 1541, which revises the terms regarding "engineers in training" and "land surveyors in training" through out the provisions regulating engineers and land surveyors.

Representative Murray asked if this was just a terminology change or did it change any professional abilities.

Representative Hammett assured Representative Murray that House Bill No. 1541 only referred to the terminology change.

There was no further discussion on House Bill No. 1541.

Representative Schneider made a motion to report House Bill No. 1541 favorably. There was no objection and House Bill No. 1541 was reported favorably by a vote of 10 yeas and

0 nays. Those voting yea were Representatives Travis, Schneider, Barton, Flavin, Frith, Hill, Michot, Morrell, Murray, and Winston.

House Bill No. 2290 by Representative Hammett

Representative Hammett appeared before the committee to present House Bill No. 2290, which would revise various provisions regulating engineers.

Ms. Cindy Mancuso, attorney, House Commerce Committee, explained to the committee that House Bill No. 2290 was being offered by amendment as a substitute bill.

Representative Travis offered the amendment by substitute to House Bill No. 2290. There was no objection and this amendment was adopted by a vote of 10 yeas and 0 nays. Those voting yea were Representatives Travis, Schneider, Barton, Flavin, Frith, Hill, Michot, Morrell, Murray, and Winston.

Representative Hammett stated that House Bill No. 2290 was a house cleaning bill to address certain issues agreed upon by the profession and industry.

Mr. Glen Kent, Jr., executive secretary, State Board of Registration for Engineers, Suite 107, 10500 Coursey Blvd., Baton Rouge, Louisiana, 70816, (504) 295-8522, appeared before the committee for informational purposes only. He stated that House Bill No. 2290 made no major changes but just made certain clarifications and included certain paragraphs that were inadvertently omitted several years ago.

Representative Schneider asked for a total number of engineers in the state of Louisiana.

Mr. Kent stated that there were approximately 19,700 engineers licensed by the state and approximately one half of that amount is nonresident.

Representative Travis made a motion to report House Bill No. 2290 by substitute. There was no objection and House Bill No. 2290 was reported by substitute by a vote of 10 yeas and 0 nays. Those voting yea were Representatives Travis, Schneider, Barton, Flavin, Frith, Hill, Michot, Morrell, Murray, and Winston.

House Bill No. 1580 by Representative Hammett

Representative Hammett appeared before the committee to present House Bill No. 1580,

which would provide for a requirement of continuing education for engineers and land surveyors.

Ms. Cindy Mancuso, attorney, House Commerce Committee, explained an amendment to be offered to House Bill No. 1580. She stated that the amendment would delete proposed law provisions requiring continuing education for engineers practicing architecture to be approved and administered by the State Board of Registration for Professional Engineers and Land Surveyors and would also delete proposed law provisions allowing the State Board of Registration of Professional Engineers and Land Surveyors to be the sole authority relative to disciplinary actions or penalties administered to engineers for violations of noncompliance with the continuing education requirements.

Representative Travis offered the above described amendment to House Bill No. 1580. There was no objection and this amendment was adopted by a vote of 10 yeas and 0 nays. Those voting yea were Representatives Travis, Schneider, Barton, Flavin, Frith, Hill, Michot, Morrell, Murray, and Winston.

Mr. Merritt McDonald, 15752 N. Stately Oaks, Baton Rouge, Louisiana, 70810, (504) 753-6829, appeared before the committee in opposition to House Bill No. 1580. He stated that he saw no need for continuing education for engineers who are currently working in the profession on a daily basis.

Representative Flavin made a motion to report House Bill No. 1580 with amendments. Objection was raised and a roll call vote was taken. House Bill No. 1580 was reported with amendments by a vote of 10 yeas and 1 nay. Those voting yea were Representatives Travis, Schneider, Barton, Flavin, Frith, Hill, Michot, Murray, Pinac, and Winston. Representative Morrell voted nay.

House Bill No. 1675 by Representative Hammett

Representative Hammett appeared before the committee to present House Bill No. 1675, which would revise the definition of "practice of engineering".

Ms. Cindy Mancuso, attorney, House Commerce Committee, explained a set of amendments to be offered to House Bill No. 1675. She stated that these amendments would specify that engineering surveys within the definition of "practice of engineering" exclude activities which must be performed under the supervision of a professional land surveyor pursuant

to the definition of "the practice of land surveying" and would also restore present law which specifies that the practice of engineering shall not include the work ordinarily performed by a person who himself operates or maintains machinery or equipment.

Representative Travis offered the above described set of amendments to House Bill No. 1675. There was no objection and these amendments were adopted by a vote of 11 yeas

and 0 nays. Those voting yea were Representatives Travis, Schneider, Barton, Flavin, Frith, Hill, Michot, Morrell, Murray, Pinac, and Winston.

Ms. Cindy Mancuso, attorney, House Commerce Committee, explained another amendment to be offered to House Bill No. 1675. She stated that this amendment would delete from the proposed law definition of the "practice of engineering" all services or work, either public or private, in connection with buildings for human occupancy or habitation.

Mr. Marvin Ragland, Jr., AIA-Louisiana, Louisiana Architects Association, 521 America St., Baton Rouge, Louisiana, (504) 387-5579, appeared before the committee in opposition to House Bill No. 1675. He stated that House Bill No. 1675 is generally an expansion of the engineering definition practice that expands into the architectural law in a way broader than it was ever intended, and that being work performed in connection with buildings for human occupancy or habitation. He stated that if the above amendment is adopted, the architects will have no opposition to House Bill No. 1675.

Mr. Jerry Jones, deputy assistant secretary, state fire marshal's office, 5150 Florida Blvd., Baton Rouge, Louisiana, (504) 925-4911, appeared before the committee for informational purposes only. He stated that his office would have some concerns if a chemical engineer submitted plans to his office for review.

Representative Flavin offered the above described amendment to House Bill No. 1675. There was no objection and this amendment was adopted by a vote of 10 yeas and 0 nays. Those voting yea were Representatives Travis, Schneider, Barton, Flavin, Frith, Hill, Michot, Morrell, Murray, and Winston.

Representative Flavin made a motion to report House Bill No. 1675 with amendments. There was no objection and House Bill No. 1675 was reported with amendments by a vote of 10 yeas and 0 nays. Those voting yea were Representatives Travis, Schneider, Barton, Flavin, Frith, Hill, Michot, Morrell, Murray, and Winston.

House Bill No. 2121 by Representative Travis

Representative Travis appeared before the committee and made a motion to defer action on House Bill No. 2121, which would provide relative to changes of location and ownership of new marine products dealers, new motorcycle dealers and

all-terrain vehicle dealers. There was no objection and action was deferred on House Bill No. 2121 by a vote of 10 yeas and 0 nays. Those voting yea were Representatives Travis, Schneider, Barton, Flavin, Frith, Hill, Michot, Morrell, Murray, and Winston.

House Bill No. 1101 by Representative Travis

Representative Travis appeared before the committee to present House Bill No. 1101, which would provide for the inclusion of buses, motor homes, trailers, recreational vehicles, travel trailers, and other vehicles under provisions relative to used motor vehicles.

Ms. Cindy Mancuso, attorney, House Commerce Committee, explained an amendment to be offered to House Bill No. 1101. She stated that this amendment would add recreational vehicles and travel trailers to the types of vehicles included in this legislation.

Representative Travis offered the above described amendment to House Bill No. 1101. There was no objection and this amendment was adopted by a vote of 10 yeas and 0 nays. Those voting yea were Representatives Travis, Schneider, Barton, Flavin, Frith, Hill, Michot, Morrell, Murray, and Winston.

Ms. Cindy Mancuso, attorney, House Commerce Committee, explained another amendment to be offered to House Bill No. 1101. She stated that this amendment would restore the present law definition of "ultimate purchaser".

Representative Travis offered the above described amendment to House Bill No. 1101. There was no objection and this amendment was adopted by a vote of 10 yeas and 0 nays. Those voting yea were Representatives Travis, Schneider, Barton, Flavin, Frith, Hill, Michot, Morrell, Murray, and Winston.

Mr. Bob Israel, Louisiana Automobile Dealers Association, appeared before the committee in support of House Bill No. 1101. He stated that new and used van campers should be deleted from the description of a recreational vehicle. He stated that van campers could be confused with customized vans.

Representative Travis offered an amendment to House Bill No. 1101 which would delete from proposed law new and used van campers from the definition of a recreational vehicle. There was no objection and this amendment was adopted by a vote of 10 yeas and 0 nays. Those voting yea were Representatives Travis, Schneider, Barton, Flavin, Frith, Hill, Michot, Morrell, Murray, and Winston.

Mr. Mike Roberts, chairman, Used Motor Vehicle and Parts Commission, appeared before the committee for informational purposes only. He stated that this legislation would add to the types of vehicles regulated by the used motor vehicle provisions, buses, trailers, and motor homes.

Ms. Linda Stroud, Used Motor Vehicles and Parts Commission, Baton Rouge, Louisiana, appeared before the committee for informational purposes only. She stated that House Bill No. 1101 deletes the surety bond requirement for automotive dismantlers because it only applies for sales tax purposes and does not pertain to the automotive dismantlers.

Representative Barton made a motion to report House Bill No. 1101 with amendments. There was no objection and House Bill No. 1101 was reported with amendments by a vote of 10 yeas and 0 nays. Those voting yea were Representatives Travis, Schneider, Barton, Flavin, Frith, Hill, Michot, Morrell, Murray, and Winston.

House Bill No. 368 by Representative Travis

Representative Travis appeared before the committee to present House Bill No. 368, which would provide relative to the compensation and authority of the Used Motor Vehicle and Parts Commission.

Mr. Mike Roberts, chairman, Used Motor Vehicle and Parts Commission, Lafayette, Louisiana, appeared before the committee in support of House Bill No. 368. He stated that this legislation would provide for compensation for additional required committee meetings.

Representative Travis offered an amendment to House Bill No. 368, which would specify that the commission's regulation of trade shows includes shows at which used motor vehicles sold by licensed used motor vehicle dealers are displayed, auctioned, or sold, and deletes the reference to new motor vehicles. There was no objection and this amendment was adopted by a vote of 10 yeas and 0 nays. Those voting yea were Representatives Travis, Schneider, Barton, Flavin, Frith, Hill, Michot, Morrell, Murray, and Winston.

Representative Morrell made a motion to report House Bill No. 368 with amendments. There was no objection and House Bill No. 368 was reported with amendments by a vote of 10 yeas and 0 nays. Those voting yea were Representatives Travis, Schneider, Barton, Flavin, Frith, Hill, Michot, Morrell, Murray, and Winston.

House Bill No. 2315 by Representative Wilkerson

Representative Travis advised the committee that Representative Wilkerson was not present to present House Bill No. 2315 and that no one was authorized to present it. House Bill No. 2315 would require new or used motor vehicle dealers to provide written notice whenever they sell a car that has been wrecked.

Representative Barton made a motion to defer action on House Bill No. 2315. There was no objection and action was deferred on House Bill No. 2315 by a vote of 10 yeas and 0 nays. Those voting yea were Representatives Travis, Schneider, Barton, Flavin, Frith, Hill, Michot, Morrell, Murray, and Winston.

V. OTHER BUSINESS

There was no other business discussed.

VI. ANNOUNCEMENTS

There were no announcements.

VII. ADJOURNMENT

There being no further business, the meeting was adjourned at 12:25 p.m.

Respectfully submitted,

John Travis, Chairman

Date Approved: _____