

**MINUTES OF THE MEETING
OF THE
LOUISIANA MOTOR VEHICLE COMMISSION
3519 12th Street
Metairie, Louisiana 70002
Monday, March 8, 2010**

The meeting was called to order at 10:30 p.m. by Chairman Raymond J. Brandt

Present were:

Chairman Raymond J. Brandt	Commissioner V. Price LeBlanc, Jr.
Commissioner John B. Fabre	Commissioner Thad J. Ryan, III
Commissioner Joseph W. "Bill" Westbrook	Commissioner Maurice C. Guidry
Commissioner Alexis D. Hocevar	Commissioner Don P. Hargroder

L. A. House, Executive Director
Adrian F. LaPeyronnie, III, Counselor
Gregory F. Reggie, Counselor
Burgess E. McCranie, Jr., Counselor

Absent were:

Commissioner Troy J. Duhon	Commissioner Arthur W. Tait
Commissioner Philip E. Tarver	Commissioner Donna S. Corley

Also, in attendance were Alan Lowenthal and Marcello Matos of Saab Cars North America, Inc.; Jeffrie Schultis, Assistant Executive Director of the Greater New Orleans New Car Dealers Association; George Marcotte, General Sales Manager of Service Chevrolet, Inc.; Louis Scanduro, President of D&L Equipment, Inc. DBA D&L Powersports; Lev Mirman, President of CF MOTO Powersports, Inc.; and Commission staff: Ingya Cattle, Assistant Executive Director; and Commission Investigators, Bill Horaist, Perry Sponge, Joel Aguilard, Wayne Lee, and Amy Lawson.

The Executive Director presented to the Commission Members correspondence from Michael DeMarino, Esq., of Jenner Block LLP, on behalf of Saab Cars North America, Inc. requesting waiver of the million-dollar bond pursuant to LSA-R.S. 32:1254D(6)(a).

"As you know, in connection with licensing Saab Cars North America, Inc. ("Saab") as a distributor in the State of Louisiana, RS 32:1254 (the "Licensing Statute") may require Saab to provide a surety bond, executed by Saab as the principal, in the sum of \$1,000,000. Pursuant to the discretion granted to the Louisiana Motor Vehicle Commission ("the Commission"), please consider this e-mail Saab's request that at the upcoming Commission meeting on March 8, 2010, the Commission waive the \$1,000,000 bond requirement as it applies to Saab for the reasons set forth below.

1. Saab does not maintain an extensive dealership network in the State of Louisiana. We currently plan to maintain only one authorized franchise dealerships in Louisiana located in Shreveport.
2. Saab sells a relatively small number of vehicles in Louisiana. In 2009, Saab sold 18 vehicles and our 2010 vehicle sales forecast does not project a substantial increase from 2009 levels.
3. The cost of providing a \$1,000,000 bond is disproportionate to the benefits gained from maintaining a dealer network in Louisiana. With only 69 vehicles sold in Louisiana in the past two years, the overall liquidity impact of a \$1 million bond is fairly substantial to Saab.

As you know, Saab has a unique connection with Louisiana and sincerely hopes to continue that connection and the associated success it has shared with Louisiana. Accordingly, we are committed to working with the Commission to reach an outcome satisfactory to all parties that would ensure the continued distribution of the Hummer brand in Louisiana. Please place Saab's request on the agenda for the upcoming Commission meeting on March 8, 2010."

The Executive Director introduced Alan Lowenthal and Marcello Matos representing Saab Cars North America, Inc. to address the Commission Members regarding Saab's sales and financial situation. Mr. Lowenthal stated that General Motors LLC had sold Saab to Spyker Cars N.V. on February 23 and going forward Saab Automobile and Spyker Cars will operate as sister companies under the umbrella of the Amsterdam Euronext listed parent company Spyker Cars N.V. (Ticker symbol: SPYKR). Mr. Lowenthal explained as part of the agreement General

Motors LLC would retained Saab's warranty for the model year of 2009 and pervious years. After a brief discussion, Commissioner Hocevar made a motion to grant the waiver of the bond, pursuant to LSA-R.S. 32:1254D(6)(a), for Saab Cars North America, Inc. until its license renewal in 2011. Commissioner Guidry seconded this motion and it was unanimously approved.

The Executive Director presented to the Commission Members copies of correspondence dated March 3, 2010 from Michael L. DeMarino, Associated Attorney of Jenner & Block representing Saab Cars North America, Inc.:

"As you know, General Motors Company recently completed the sale of Saab Automobile Aktiebolag ("Saab AB") to Spkyer Cars N.V., and Saab Cars North America, Inc. ("Saab"), a wholly owned subsidiary of Saab AB, has recently applied for a distributor license in the State of Louisiana.

As with the automotive industry generally, Saab is undergoing some tremendous changes, and for the first time in over 20 years will be operating independently of General Motors. Part of those changes included the departure of numerous dealers from the Saab supply chain, including one in Louisiana. Through the early part of 2009, General Motors maintained two authorized dealers in the state of Louisiana, Gerry Lane Saab in Baton Rouge and Orr Cadillac-Hummer-Saab in Shreveport. In February of 2009, however, Orr Cadillac-Hummer terminated its sale of Saab vehicles. Consequently, Saab currently maintains only one dealer (*i.e.*, Gerry Lane Saab) in the State of Louisiana.

The Louisiana Revised Statutes 32:1261 ("RS 32:1261"), provide that it is a violation for any Manufacturer or Distributor 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. As a result of RS 32:1261, warranty work for Saab vehicles must be performed at the site of Saab's sole dealership located in Baton Rouge. Given Saab's diffuse customer base located throughout the State of Louisiana, but generally concentrated around Baton Rouge and Shreveport, it likely that many Saab customers in the Shreveport area will be subject to the burden of having to travel in excess of 250 miles to Baton Rouge for repairs and warranty work. The current circumstances undoubtedly create a situation in which numerous consumers will face economical and logistical hardship to undergo warranty and repair work. Saab strongly believes that these hardships are primarily the result of the restrictions in RS 32:1261 and can be diminished if RS 32:1261 were amended or waived with respect to Saab to allow Orr Cadillac-Hummer to perform warranty and repair work to Saab vehicles.

Although Orr Cadillac-Hummer no longer sells Saab vehicles, it has retained its ability to perform Saab warranty and repair work. We believe that, despite RS 32:1261's clear ban on service only dealers, an additional satellite warranty and repair center located in Northwest Louisiana (*i.e.*, Shreveport) would provide Saab consumers in the Shreveport area with a convenient alternative to Saab's sole repair and warranty center in Baton Rouge. Also, note that given the distance between Shreveport and Baton Rouge, Orr Cadillac-Hummer would not be in violation of the second clause of Section 1(t) of RS 32:1261 because Orr Cadillac-Hummer is in no danger of encroaching upon the community or territory of Gerry Lane Saab.

Saab respectfully requests that you consider amending RS 32:1261 in such manner as to allow Saab to maintain a service only dealer consistent with the limited circumstances described above. Alternatively, Saab respectfully requests an exemption from RS 32:1261, as it applies to Saab, on a temporary and transitional basis until Saab can implement an arrangement consistent with RS 32:1261. Indeed, we strongly reel that such an amendment or exemption would benefit Louisiana and be in the best interest of Louisiana consumers."

Marcello Matos of Saab Cars North America, Inc. Continued addressed the Commission Members regarding Saab's satellite warranty in the State of Louisiana due to the lack of dealer network. Counselor Reggie advised the Commission Members under unauthorized act of the Commission states LSA-R.S. 32:1261 provides:

§ 32:1261 Unauthorized acts

It shall be a violation of this Chapter:

(1) For a manufacturer, a distributor, a wholesaler, distributor branch, factory branch, converter or officer, agent, or other representative thereof:

(t) 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. This Subparagraph shall not apply to recreational product manufacturers.

Counselor Reggie advised the Commission Members the statute does not provide for a waiver of this section of law and absent a legislative change of the statute the only suggestion would be for Saab to amend Gerry Lane's area of responsibility to include the entire State of Louisiana, wherein Gerry Lane could apply for a license from the Commission open a satellite warranty and repair facility in another part of the state. A lengthy discussion ensued regarding the future possibility Saab appointing a full sales and service dealer in Shreveport and/or New Orleans, wherein, it was suggested to Saab to amend Gerry Lane's area of responsibility to include the entire State of Louisiana, except the metropolitan of New Orleans and Shreveport. Counselor Reggie also advised the representatives of Saab if they should choose to expand Gerry Lane's area of responsibility a notice is required

pursuant to LSA-R.S. 32:1261 (1)(u):

It shall be a violation of this Chapter:

(1) For a manufacturer, a distributor, a wholesaler, distributor branch, factory branch, converter or officer, agent, or other representative thereof:

(u) To make a change in the area of responsibility described in the franchise agreement or sales and service agreement of a dealer, without the franchisor, converter, or manufacturer giving said dealer and the commission no less than sixty days prior written notice by certified or registered mail.

Mr. Alan Lowenthal and Mr. Marcello Matos thanked the Commission for their time and suggestion, stating they would take it back to their client for further consideration.

In regard to the old business, the Executive Director reminded the Commission Members at the January 11, 2010 meeting Ms. Jeffrie Schultis Fricke, Assistant Executive Director of the Greater New Orleans New Car Dealers Association had addressed the Commission regarding her request for approval of 27th Annual Greater New Orleans International Auto Show, March 12th -14th, 2010, in the Morial Convention Center, in New Orleans. The Executive Director continued stating during that meeting, Ms. Fricke had stated they would not be sure whether it would be a selling or non selling show until the end of January or beginning of February. The Executive Director advised the Commission Members since that time Commission staff had been made aware of some out of area (area of responsibility) and Mississippi dealerships were being asked to participate the show. The Executive Director stated the law prohibits dealers that do not hold a license issued pursuant to LSA-R.S. 32:1251 *et seq.* from selling in Louisiana and additionally the law provides for specific protest rights if a dealer would be authorized by the manufacturer to sell outside his area of responsibility and in another dealers area of responsibility. The Chairman Jeffrie Schultis Fricke, Assistant Executive Director of the Greater New Orleans New Car Dealers Association to address the Commission Members regarding the concerns. Ms. Fricke advised the Commission Members the idea to allow out-of-state dealers to participate had been dropped, however, she would still like to pursue allowing the St. Tammany (northshore) dealers participation and requested the Commission's guidance in this regard. A lengthy discussion ensued after which, Commissioner Horgroder made a motion to approve the 27th Annual Greater New Orleans International Auto Show as a selling show for Friday and Saturday only, conditioned upon the dealerships in New Orleans and Jefferson Parish sign a waiver to accept dealerships in St. Tammany Parish to participate the show and conditioned upon the Law and the Rules and Regulations promulgated by the Commission being strictly adhered to. Commissioner Fabre seconded. This motion was approved by a majority vote, Commissioner Guidry voted nay. The Commission directed Commission Counsel to assist in drafting a waiver form, which would be utilized in this instance and in the future with regards to Auto Shows.

The Executive Director presented to the Commission Members correspondence dated February 22, 2010, from George Marcotte, General Sales Manager of Service Chevrolet:

"Service Chevrolet originally began the Silverado Dominator promotion in 1988. In August 2008, the Silverado Dominator promotion was brought back by Service Chevrolet. There are no physical modifications done to these trucks whatsoever by Service Chevrolet. We have simply enhanced the appearance of the Silverado trucks, and have not put the public at risk with any safety issues, because we have not physically modified the factory specifications of the Silverado pickups.

Simply put, we are not doing anything different than what Chevrolet is currently doing in Texas with the Texas Edition. We are the number one Chevrolet dealer in the state of Louisiana, and the people of Louisiana are proud of their state, just as the people of Texas are proud of their state. When we do promotions such as Louisiana Edition and Dominator, we are simply giving the public what they like. People buy what they like. These are simply brand extensions of an existing product.

Incidentally, we do not charge extra for the Silverado Louisiana Edition and Silverado Dominator trucks. We do these promotions at our own expense. In no way, shape or form, are we trying to misrepresent the Chevrolet product line up, or mislead the public.

Lessie, I have spoken to Brian Mackie, who is a Field Manager for General Motors. He is familiar with our promotions and would be glad to speak with you regarding this matter. His contact number is: 469-417-7095.

Also, I will be sending you a series of e-mails that should give a better understanding of our marketing strategy with regards to our brand extensions of Silverado pickups."

At this time, the Chairman opened the floor for George Marcotte to address the Commission Members regarding the dealer package advertising. After a brief discussion, Commissioner Hocevar made a motion to approve the advertising of the dealer package conditioned upon the Law and the Rules and Regulations promulgated by this Commission being strictly adhered to and all representations made in the request letter of February 22, 2010,

remaining constant. Commissioner Ryan seconded this motion and it was unanimously approved.

Chairman Raymond J. Brandt announced the next order of business would be Hearing #2010-010, D&L Equipment, Inc. DBA D&L Powersports vs. CF MOTO Powersports, Inc. In attendance were: Louis Scnadurro, President of D&L Equipment, Inc. DBA D&L Powersports and Lev Mirman, President of CF MOTO Powersports, Inc. A court reporter was brought in to record the transcript of this hearing, which will be made a permanent part of the Commission's files. No judgment was rendered. Both parties agreed to continued the hearing to April 12, 2010, if issue is not resolved.

The Executive Director presented to the Commission Members correspondence dated February 4, 2010, from Nancy Gerich, American Honda Motors, Regional Marketing, Acura Division:

"On behalf of Acura (American Honda Motor Company, Inc.), this letter is to request permission to display up to seven (7) Acura vehicles at the 2010 New Orleans Jazz & Heritage Festival.

Currently, the Acura models to be displayed include: ZDX, RL, MDX, RDX, TL, and TSX. (The appearance of one additional concept car is a possibility, but not likely.) These vehicles are part of an on-site display from April 23rd - May 2nd at the Fairgrounds Race Course. The vehicles will be displayed in the Acura tent on the Jazz Fest grounds, located at 1751 Gentilly Blvd., new Orleans, LA, 70119.

This is not a sales event and no dealership personnel or sales collateral will be present.

Thank you in advance for facilitating the permit required for the Acura display at the 2010 New Orleans Jazz and Heritage Festival. Should you have any questions, please feel free to contact Christy Sears with our advertising agency, RPA. 310.633.6175 (o) 310-633-7175 (F) or csears@rpa.com."

After a brief discussion, Commissioner Hocevar made a motion to approve the auto display conditioned upon the Law and the Rules and Regulations promulgated by this Commission being strictly adhered to and all representations made in the request letter of February 4, 2010, remaining constant. Commissioner Guidry seconded this motion and it was unanimously approved.

The Executive Director presented to the Commission Members correspondence dated February 25, 2010, from Glen Fritscher, General Manager of Acadiana Dodge, Inc.:

This is a formal request for an off-site display of vehicles Acadiana Dodge.

We are asking permission to display seven (7) new vehicles at the CajunDome in Lafayette (444 CajunDome Blvd. Lafayette LA 70506) on March 27, 2010.

This display is in conjunctio with the 2nd Annual Black Rodeo. Acadiana Dodge Chrysler Jeep is a sponsor of this event and would like to have our vehicles on display for this event.

This request is for display purposes only, not intended for any type of selling or customer contact.

If you should need further information, please contact me at (337) 232-7361 or reply by fax at (337) 232-7362."

After a brief discussion, Commissioner Guidry made a motion to approve the auto display conditioned upon the Law and the Rules and Regulations promulgated by this Commission being strictly adhered to and all representations made in the request letter of February 25, 2010, remaining constant. Commissioner Hocevar seconded this motion and it was unanimously approved.

The Executive Director presented to the Commission Members correspondence dated March 1, 2010, from Sharon Moss, President of Coury Moss, Inc. DBA Moss Motors:

"This correspondence is sent to request written permission for an off-site display of 10 new Mercedes automobiles. The display is for our sponsorship of Chitimacha Louisiana Open. The vehicles will be displayed at Le Triomphe Golf Course located at 100 Club Boulevard in Broussard, Louisiana 70518. The display will be held from March 20-March 29, 2010.

Please call me if you have any questions. Please forward me a copy of your approval for our files. Our fax number is 337-237-2173."

After a brief discussion, Commissioner Hocevar made a motion to approve the auto display conditioned upon the Law and the Rules and Regulations promulgated by this Commission being strictly adhered to and all representations made in the request letter of March 1, 2010, remaining constant. Commissioner Guidry seconded this motion and it was unanimously approved.

At this time Counselor McCranie presented the Commission with copies of proposed changes to the Louisiana Motor Vehicle Commission law for the 2010 regular legislative session.

§ 32:1252 Definitions

(46) "Motorcycle" means a motor vehicle having a seat or saddle for the use of the rider and designed to travel in not more than three wheels in contact with the ground but excluding a tractor and electric-powered scooters: not required to be registered.

(51) "Vehicle" means any motor vehicle, specialty vehicle, or recreational product subject to regulation by this Chapter.

(52) "Dealer" means any person licensed to sell a motor vehicle or recreational product subject to the regulation by this Chapter.

§ 32:1254 Application for license; requirements for licensure; contents; licenses; franchise filings

A. The following persons shall be licensed by the commission in order to engage in business in the state of Louisiana, regardless of whether or not said person maintains or has a place or places of business in this state, and it is a violation of this Chapter to operate without first obtaining a license:

(19) Auto shows, trade shows and exhibitions including promoters and non resident exhibitors.

B. (1) All applications for license or licenses shall be accompanied by the appropriate fee or fees in accordance with the schedule set out in R.S. 32:1255. ~~In the event any application is denied and the license applied for is not issued, the entire license fee shall be returned to the applicant. All such fees are nonrefundable.~~ Except as provided in Paragraph (2) of this Subsection, all licenses issued under the provisions of this Chapter in accordance with the geographical location of the licensee will be for the year beginning and ending as follows: except that commencing January 1, 2011 licenses shall be issued for a term of two years initially staggering the two year license so that Commission Districts 1, 3, 5 and 7 will be issued a one year license in 2011 and a two year license thereafter. Recreational product dealer license fees shall be prorated to cover that period from December 31, 2010 until their license renewal.

1st Commission District—April 1 through March 31.

2nd Commission District—May 1 through April 30.

3rd Commission District—June 1 through May 31.

4th Commission District—July 1 through June 30.

5th Commission District—August 1 through July 31.

6th Commission District—September 1 through August 31.

7th Commission District—October 1 through September 30.

8th Commission District—November 1 through October 31.

(2) The license of any recreational products dealer shall expire December 31, 2010 or and the license of any licensee who does not maintain a place of business in this state shall expire on December thirty-first of each year.

C. General licensing and compliance requirements for all license applicants and holders.

(9) ~~All licensees are required to furnish and keep in force required liability insurance coverage or liability protection provided by a liability trust fund as authorized by R.S. 22:46(9)(d) on vehicles in accordance with the financial responsibility laws of the state of Louisiana. All applications for license under this Chapter shall include evidence that the applicant has such insurance covering its place of business and its operation that complies with the financial responsibility laws of the state of Louisiana and as determined by the applicant and its insurance agent that is necessary to provide coverage to the place and nature of the business sought to be licensed to protect the applicant and the consumers of this state. Failure to maintain such insurance or liability protection shall result in the immediate suspension of license, which suspension shall be effective as of the date of said failure to maintain said liability insurance coverage or liability protection until proof of the required liability insurance or liability protection is furnished to the commission. If no proof is~~

furnished to the commission within thirty days, the license of said licensee shall be revoked. ~~Recreational product dealers selling all-terrain vehicles shall not be required to furnish and keep in force the minimum garage liability insurance coverage on all-terrain vehicles offered for sale unless the vehicles are utilized on the streets and roadways for demonstration or any other purpose.~~

(10) All foreign ~~corporations~~ persons seeking or maintaining a license under this Chapter must be registered to do business in this state with the secretary of state. Evidence showing such registration shall be furnished by such applicant or licensee.

D. Additional licensing and compliance requirements for manufacturers, distributors, wholesalers, converters or secondary manufacturers, distributors or wholesalers, factory branches and distributor branches.

(7) Upon execution of a franchise, or addendum thereto, with a motor vehicle dealer, recreational products dealer, or specialty vehicle dealer, the manufacturer, distributor, wholesaler or a convertor or secondary manufacturer shall immediately file with the commission a copy of the franchise or addendum.

E. Additional licensing and compliance requirements for motor vehicle and recreational products dealers.

(7) All motor vehicle or recreational products dealers applications for license under this Chapter shall include evidence that the applicant has such insurance covering its place of business and its operation that complies with the financial responsibility laws of the state of Louisiana and as determined by the applicant and its insurance agent that is necessary to provide coverage to the place and nature of the business sought to be licensed to protect the applicant and the consumers of this state. ~~shall furnish evidence that they currently have garage liability insurance or liability protection provided by a liability trust fund as authorized by R.S. 22:46(9)(d) covering their place of business. The required insurance policy or liability protection shall have limits of not less than one hundred thousand dollars for bodily injury to one person, three hundred thousand dollars per accident, and fifty thousand dollars for property damage. Said insurance or liability protection shall be maintained throughout the period of licensure. Failure to maintain such insurance or liability protection shall result in the immediate suspension of license, which suspension shall be effective as of the date of said failure to maintain said liability insurance coverage or liability protection until proof of the required garage liability insurance or liability protection is furnished to the commission. Should no proof of insurance or liability protection provided by a liability trust fund as authorized by R.S. 22:46(9)(d) be furnished to the commission within thirty days, the license of said licensee shall be revoked. Recreational products dealers selling all-terrain vehicles shall not be required to furnish and keep in force the minimum garage liability insurance coverage on all-terrain vehicles offered for sale unless the vehicles are utilized on the streets and roadways for demonstration or any other purpose.~~

(9) (a)

(b)

(c)

(d) Notwithstanding any other provisions of law to the contrary, any motor vehicle or recreational products dealer holding a license hereunder shall not be required to obtain a license as a motor vehicle lessor, used motor vehicle dealer, or specialty vehicle dealer or converter, when modifying or selling those vehicles or products he is duly franchised and licensed to sell, provided such operations are conducted from the location from which said motor vehicle or recreational products dealer is licensed to do business.

F. Additional licensing and compliance requirements for used motor vehicle facilities operated by new motor vehicle dealers, motor vehicle lessors and specialty vehicle dealers.

(4) All used motor vehicle facilities licensed by the commission ~~shall furnish evidence that they currently have garage liability insurance or liability protection provided by a liability trust fund as authorized by R.S. 22:46(9)(d) covering their places of business. The required insurance policy or liability protection shall have limits of not less than one hundred thousand dollars for bodily injury to one person, three hundred thousand dollars per accident, and fifty thousand dollars for property damage. Said insurance or liability protection shall be maintained throughout the period of licensure.~~ in their application for license under this Chapter shall include evidence that the applicant has such insurance covering its place of business and its operation that complies with the financial responsibility laws of the state of Louisiana and as determined by the applicant and its insurance agent that is necessary to provide coverage to the place and nature of the business sought to be licensed to protect the applicant and the consumers of this state. Failure to maintain such insurance or liability protection shall result in the immediate suspension of license, which suspension shall be effective as of the date of said failure to maintain said liability insurance coverage or liability protection until proof of the required garage liability insurance or liability protection is furnished to the commission. Should no proof of insurance or liability protection provided by a liability trust fund as authorized by R.S. 22:46(9)(d) be furnished to the commission within thirty days, the license of said licensee shall be revoked. ~~Recreational product dealers selling all-terrain vehicles shall not be required to furnish and keep in force the minimum garage liability insurance coverage on all-terrain vehicles offered for sale unless the vehicles are utilized on the streets and roadways for demonstration or any other purpose.~~

G. Additional licensing and compliance requirements for satellite warranty and repair centers.

(4) All satellite warranty and repair centers shall furnish in their application for license under this Chapter evidence that the applicant has such insurance covering its place of business and its operation that complies with the financial responsibility laws of the state of Louisiana and as determined by the applicant and its insurance agent that is necessary to provide coverage to the place and nature of the business sought to be licensed to protect the applicant and the consumers of this state. ~~evidence that they currently have~~

~~garage liability insurance or liability protection provided by a liability trust fund as authorized by R.S. 22:46(9)(d) covering their place of business. The required insurance policy or liability protection shall have limits of not less than one hundred thousand dollars for bodily injury to one person, three hundred thousand dollars per accident, and fifty thousand dollars for property damage. Said insurance or liability protection shall be maintained throughout the period of licensure. Failure to maintain such insurance or liability protection shall result in the immediate suspension of license, which suspension shall be effective as of the date of said failure to maintain said liability insurance coverage or liability protection until proof of the required garage liability insurance or liability protection is furnished to the commission. Should no proof of insurance or liability protection provided by a liability trust fund as authorized by R.S. 22:46(9)(d) be furnished to the commission within thirty days, the license of said licensee shall be revoked.~~

J. Additional licensing and compliance requirements for motor vehicle lessors.

~~(5) All motor vehicle lessors shall furnish evidence in their application for license under this Chapter shall include evidence that the applicant has such insurance covering its place of business and its operation that complies with the financial responsibility laws of the state of Louisiana and as determined by the applicant and its insurance agent that is necessary to provide coverage to the place and nature of the business sought to be licensed to protect the applicant and the consumers of this state. that they currently have garage liability or other general liability insurance covering their place of business. The policy must have limits of not less than one hundred thousand dollars for bodily injury to one person, three hundred thousand dollars per accident and fifty thousand dollars for property damage. Said insurance must be maintained throughout the period of licensure. Failure to maintain such insurance shall result in the immediate suspension of license, which suspension shall be effective as of the date of said failure to maintain said liability insurance coverage until proof of the required garage liability insurance is furnished to the commission. Should no proof of insurance be furnished to the commission within thirty days, the license of said licensee shall be revoked.~~

L. Additional licensing and compliance requirements for specialty vehicle dealers.

~~(5) All specialty vehicle dealers shall furnish evidence in their application for license under this Chapter shall include evidence that the applicant has such insurance covering its place of business and its operation that complies with the financial responsibility laws of the state of Louisiana and as determined by the applicant and its insurance agent that is necessary to provide coverage to the place and nature of the business sought to be licensed to protect the applicant and the consumers of this state. that they currently have garage liability insurance covering their place of business. The policy must have limits of not less than one hundred thousand dollars for bodily injury to one person, three hundred thousand dollars per accident and fifty thousand dollars for property damage. Said insurance must be maintained throughout the period of licensure. Failure to maintain such insurance shall result in the immediate suspension of license, which suspension shall be effective as of the date of said failure to maintain said liability insurance coverage until proof of the required garage liability insurance is furnished to the commission. If no proof of insurance is furnished to the commission within thirty days, the license of said licensee shall be revoked.~~

N. Any person who sells or offers to sell new motor vehicles, recreational products, or specialty vehicles, or leases, rents, or offers to lease or rent new motor vehicles recreational products, or specialty vehicles, or conducts and designs advertising campaigns, participates in special sales events on behalf of licensees and which is not a licensee of the commission shall, nonetheless, be subject to the provisions of Chapter 6 of Title 32 and the rules and regulations of the commission. ~~which pertain to the regulation of advertising.~~

§ 32:1255 Fees; penalties

A. To defray the cost of issuing licenses and administering this Chapter, the commission shall fix reasonable fees to be assessed under this Chapter.

(1) The license for each manufacturer, distributor, converter, motor vehicle lessor franchisor, or wholesaler, and factory branch or distributor branch, shall not exceed one thousand dollars: for each year covered by the license.

(2) The license for each motor vehicle dealer, specialty vehicle dealer, recreational products dealer, motor vehicle lessor, used motor vehicle dealer, factory representative, broker, distributor representative or lease facilitator shall not exceed three hundred dollars: for each year covered by the license.

(3) The license fee for each motor vehicle salesman and motor vehicle lessor agent shall not exceed thirty dollars: for each year covered by the license.

(4) The fee for ~~motor vehicle sales and shows~~ auto shows, trade shows, and expositions at off-site locations shall not exceed five hundred dollars.

(5) The fee for satellite warranty and repair centers shall not exceed three hundred dollars: for each year covered by the license.

B. Any person, firm, or corporation required to be licensed hereunder, who fails to make application for such license at the time required herein, or required by the rules and regulations of the commission shall, in addition to the aforesaid fees, pay a penalty of fifty percent of the amount of the license fee. The penalty, however, may be waived in whole or in part within the discretion of the commission.

§ 32:1260 Penalties; other relief

E. In addition to the penalties provided under this Chapter, the commission is expressly empowered and authorized, after following the procedures of this Chapter, to order the repurchase all vehicles, signs, special tools and automotive equipment and pay the costs to the licensee the cost of

transporting, handling, packing, and loading of vehicles, parts, signs, tools and equipment subject to the repurchase requirements of R.S. 32:1268.

F. Upon the failure of any person to comply with any order of the commission issued as a result of a violation of this Chapter, or a rule or regulation adopted by the commission, the commission is authorized to file civil proceedings to enforce its order in the 24th Judicial District Court for the Parish of Jefferson by rule to show cause conducted pursuant to the relevant provisions of the Louisiana Code of Civil Procedure. The commission shall be entitled to recover from such party all costs of the proceeding, including, but not limited to, court costs, all discovery costs, and reasonable attorney fees incurred by the commission in enforcing its order.

§ 32:1261 Unauthorized acts

It shall be a violation of this Chapter:

(1) For a manufacturer, a distributor, a wholesaler, distributor branch, factory branch, converter or officer, agent, or other representative thereof:

(a) To induce or coerce, or attempt to induce or coerce, any licensee ~~or specialty vehicle dealer~~:

(i) To order or accept delivery of any recreational product, motor vehicle or vehicles, appliances, equipment, parts or accessories therefor, or any other commodity or commodities which shall not have been voluntarily ordered.

(ii)

(iii)

(iv)

(v)

(vi)

(vii) To participate in an advertising group or to participate monetarily in an advertising campaign or contest or to purchase any promotional materials, showroom, or other display decorations or materials at the expense of such ~~motor vehicle dealer or specialty dealer~~ licensee.

(viii) To adhere to performance standards that are not applied uniformly to other similarly situated ~~motor vehicle dealers or specialty dealers~~ licensees. Any such performance standards shall be fair, reasonable, equitable, and based on accurate information. If dealership performance standards are based on a survey, the manufacturer, converter, distributor, wholesaler, distributor branch, or factory branch shall establish the objectivity of the survey process and provide this information to any ~~motor vehicle dealer or specialty vehicle dealer licensee~~ of the same line make covered by the survey request. Each response to a survey used by a manufacturer in preparing an evaluation or performance-rating of a ~~motor vehicle dealer licensee~~ shall be made available to that ~~motor vehicle dealer, licensee~~, or it cannot be used by the manufacturer. However, if a customer requests that the manufacturer or distributor not disclose the consumer's identity to the dealer, the manufacturer may withhold the consumer's identity in providing the survey response to the dealer, and the manufacturer may use the response. Any survey used must have the following characteristics:

(b) To refuse to deliver to any ~~duly licensed motor vehicle dealer licensee~~ having a franchise or contractual arrangement for the retail sale of ~~new motor~~ vehicles sold or distributed by such manufacturer, distributor, wholesaler, distributor branch or factory branch, any motor vehicle, publicly advertised for immediate delivery, within sixty days after such dealer's order shall have been received.

(d) To unfairly, without just cause and due regard to the equities of said dealer, cancel the franchise of any ~~motor vehicle dealer, licensee~~. Failure to meet performance standards based on a survey of sales penetration in a regional, national, territorial, or other geographic area shall not be the sole cause for cancellation of a franchise. The nonrenewal of a franchise or selling agreement with said dealer or his successor without just provocation or cause, or the refusal to approve a qualified transferee or qualified successor to the dealer-operator as provided for in the franchise or selling agreement, or solely for failure to meet performance standards based on a survey of sales penetration in a regional, national, territorial, or other geographic area, shall be deemed an evasion of this Paragraph and shall constitute an unfair cancellation, regardless of the terms or provisions of such franchise or selling agreement. However, at least ninety days notice must be given to the dealer of any cancellation or nonrenewal of a franchise except for a cancellation arising out of the financial default of the motor vehicle dealer or fraudulent activity of the dealer principal which results in the conviction of a crime punishable by imprisonment.

(e) To refuse to extend to a ~~motor vehicle dealer licensee~~ the privilege of determining the mode or manner of available transportation facility that said dealer desires to be used or employed in making deliveries of ~~new motor~~ vehicles to him or it.

(g) To delay, refuse, or fail to deliver ~~motor~~ vehicles in reasonable quantities relative to the ~~new motor vehicle dealer's licensee's~~ facilities and sales potential in the relevant market area. This Subparagraph shall not be valid, however, if such failure is caused by acts or causes beyond the control of the manufacturer, distributor, or other such party.

(h) To ship or sell motor vehicles or recreational products to a licensee ~~to a motor vehicle~~

dealer prior to the ~~motor vehicle dealer licensee~~ having been granted a license by the commission to sell such motor vehicles.

(i) To unreasonably withhold consent to the sale, transfer, or exchange of the franchise to a qualified transferee capable of being licensed as a ~~new motor vehicle dealer~~ in this state, provided the transferee meets the criteria generally applied by the manufacturer in approving new motor vehicle dealers and agrees to be bound by all the terms and conditions of the standard franchises.

(k) (i) To sell or offer to sell a new or unused motor vehicle or recreational product directly to a consumer except as provided in this Chapter, or to compete with a ~~new motor vehicle dealer licensee~~ in the same line makes, models, or classifications operating under an agreement or franchise from the aforementioned manufacturer. A manufacturer shall not, however, be deemed to be competing when any one of the following conditions are met:

(aa) Operating a dealership temporarily for a reasonable period, not to exceed two years.

(bb) Operating a bona fide retail dealership which is for sale to any qualified independent person at a fair and reasonable price, not to exceed two years.

(cc) Operating in a bona fide relationship in which a person independent of a manufacturer has made a significant investment subject to loss in the dealership, and can reasonably expect to acquire full ownership of such dealership on reasonable terms and conditions.

(ii) After any of the conditions have been met under Subitems (aa) and (bb) above, the commission shall allow the manufacturer of ~~new motor vehicles~~ to compete with ~~new motor vehicle dealers licensees~~ of the same-line makes, models, or classifications under an agreement or franchise from said manufacturer for longer than two years when, in the discretion of the commission, the best interest of the manufacturer, consuming public, and ~~new motor vehicle dealer licensees~~ are best served.

(n) To fail to designate and provide to the commission in writing the community or territory assigned to a ~~motor vehicle dealer licensee~~.

(p) To unreasonably discriminate among competing, similarly-situated, same line make ~~motor vehicle~~ dealers in the sales of vehicles, in the availability of such vehicles, in the terms of incentive programs or sales promotion plans, or in other similar programs.

(7) For any employee of a ~~motor vehicle dealer, specialty vehicle dealer, or used motor vehicle dealer licensed by the commission, licensee~~ while acting in the scope of his employment, to accept any payment, commission, fee, or compensation of any kind from any person other than the employing ~~dealer licensee~~, unless said payment is fully disclosed to and approved by the employing ~~dealer licensee~~

(2) For a motor vehicle dealer, specialty vehicle dealer, recreational product dealer, used motor vehicle dealer, or a motor vehicle salesman:

(a) To require a purchaser of a ~~new motor~~ vehicle, as a condition of sale and delivery thereof, to also purchase special features, appliances, accessories, or equipment not desired or requested by the purchaser; however, this prohibition shall not apply as to special features, appliances, accessories, or equipment which are permanently affixed to the vehicle.

(b) To represent and sell as a new ~~motor~~ vehicle any ~~motor~~ vehicle, the legal title of which has been transferred by a manufacturer, distributor, or dealer to an ultimate purchaser.

(c) To resort to or use any false or misleading advertisement in connection with his business as such ~~motor~~ vehicle dealer or motor vehicle salesman.

(d) To sell or offer to sell makes, models, or classifications of new ~~motor~~ vehicles for which no franchise and license to sell is held.

(e) Except as otherwise approved by the commission, to sell or offer to sell a ~~motor~~ vehicle from an unlicensed location.

(f) To deliver to a prospective purchaser a new or a used ~~motor~~ vehicle on a sale conditioned on financing, i.e., a spot delivery, except on the following terms and conditions which shall be in writing and shall be a part of the conditional sales contract or other written notification signed by the purchaser:

(i) That if the sale is not concluded by the financing of the sale to the purchaser within twenty-five days of the delivery, the sale contract shall be null and void.

(ii) That the ~~motor~~ vehicle being offered for trade-in by the purchaser shall not be sold by the motor vehicle dealer until the conditional sale is complete.

(iii) That there shall be no charge to the purchaser should the conditional sale not be completed, including but not limited to mileage charges or charges to refurbish the vehicle offered for trade-in. However, the purchaser shall be responsible for any and all damages to the vehicle or other vehicles damaged by the fault of the purchaser and any and all liability incurred by the purchaser during the purchaser's custody of the vehicle to the extent provided for in R.S. 22:1296.

(iv) That if the conditional sale is not completed, the ~~motor vehicle~~ dealer shall immediately refund to the purchaser upon return of the vehicle all sums placed with the dealership as a deposit or any other purpose associated with the attempted sale of the vehicle.

(v) That the prospective purchaser shall return the vehicle to the dealership within forty-eight hours of notification by the dealer that the conditional sale will not be completed. If the prospective purchaser does not return the vehicle to the dealership within forty-eight hours of notification by the dealer, an authorized agent of the dealer shall have the right to recover the vehicle without the necessity of judicial process, provided that such recovery can be accomplished without unauthorized entry into a closed dwelling, whether locked or unlocked and without a breach of peace.

(g) To pay a fee to any person in return for the solicitation, procurement, or production by that person of prospective purchasers for new and used **motor** vehicles, except to a salesman licensed under the provisions of this Chapter.

(h) To fail to fully and completely explain each charge listed on a retail buyer's order or vehicle invoice prior to the purchase of a vehicle.

(i) When selling a **motor** vehicle to a consumer, to assess any consumer services fees, which shall include fees for treating the interior upholstery of the vehicle, oil changes, roadside assistance, dealer inspections, or any other service offered by the dealer, without allowing the buyer to refuse such services and be exempt from payment for such services. The provisions of this Subparagraph shall not apply to dealer added options or accessories which are permanently affixed to the vehicle.

(3) For a motor vehicle or recreational product lessor or motor vehicle lessor agent:

(a) To represent and sell as a new **motor** vehicle any **motor** vehicle which has been used or intended to be used and operated for leasing and rental purposes.

(b) To resort to or use any false or misleading advertising in connection with the business of leasing or renting **motor** vehicles.

(c) To lease, rent, sell, or offer to sell a **motor** vehicle from a location not licensed for such activity.

(d) To rent or lease any **motor** vehicle which has been located within the state of Louisiana for a period of thirty days or more, unless such **motor** vehicle has been issued a Louisiana license plate by, and all license fees and taxes have been paid to, the state of Louisiana.

(e) To pay a fee to any person in return for the solicitation, procurement, or production by that person of prospective lessees of **motor** vehicles, unless the person receiving the fee is a lease facilitator who holds a valid license as provided by this Chapter and a valid appointment from the motor vehicle lessor as provided by R.S. 32:1266(B)(1). The fees prohibited by this Subparagraph shall not include amounts paid to a **motor vehicle** dealer as part of the consideration for the sale or assignment of a lease or leased vehicle or other amounts paid to the motor vehicle dealer who transfers the title on the vehicle or assigns the lease contract to the motor vehicle lessor.

(f) To fail to fully and completely explain each charge listed on a retail buyer's or lessee's order or vehicle invoice or leasing agreement prior to the lease of a vehicle.

(g) When leasing a **motor** vehicle to a consumer, to assess any consumer services fees, which shall include fees for treating the interior upholstery of the vehicle, oil changes, roadside assistance, dealer inspections, or any other service offered by the motor vehicle lessor, without allowing the consumer to refuse such services and be exempt from payment for such services. The provisions of this Subparagraph shall not apply to motor vehicle lessor added options or accessories which are permanently affixed to the vehicle.

(4) For a lease facilitator:

(a) To hold himself out to any person as a "leasing company", "leasing agent", "lease facilitator", or similar title, directly or indirectly engaged in the business of a lease facilitator, or otherwise engaged in the solicitation or procurement of prospective lessees for **motor** vehicles not titled in the name of and registered to the lease facilitator, without holding a valid lease facilitator license and being in compliance with the terms of this Chapter.

(b) To sell or offer to sell a new **motor** vehicle.

(c) To accept a fee from a dealer or consumer.

(d) To sign a **motor** vehicle manufacturer's statement of origin to a vehicle, accept an assignment of a manufacturer's statement of origin to a vehicle, or otherwise assume any element of title to a new motor vehicle.

(e) To procure or solicit prospective lessees for or on behalf of any person other than a motor vehicle lessor.

(f) To act in the capacity of or engage in the business of a lease facilitator without a valid appointment from a motor vehicle lessor to act on behalf of the motor vehicle lessor in soliciting prospective lease clients or customers as provided by this Chapter.

(5) For a broker:

(a) To hold himself out to any person as a "broker", "purchasing company", "sales agent", or similar title, engaged in the business of broker, or otherwise engaged in the solicitation or procurement of prospective purchasers for **motor** vehicles not titled in the name of and registered to the broker, unless the broker holds a valid broker license and is in compliance with the terms of this Chapter.

(b) To sell, or offer to sell, or display a new ~~motor~~ vehicle.

(c) To be paid a fee by a dealer.

(d) To sign a ~~motor~~ vehicle manufacturer's statement of origin to a vehicle, accept an assignment of a manufacturer's statement of origin to a vehicle, or otherwise assume any element of title to a new ~~motor~~ vehicle.

§ 32:1261.1. Indemnification of franchised dealers

Notwithstanding the terms of any franchise agreement, each manufacturer or converter shall indemnify and hold harmless its franchised dealers against any judgement for damages, including but not limited to court cost and reasonable attorney fees of the dealer, arising out of complaints, claims, or lawsuits including but not limited to strict liability, negligence, misrepresentation, express or implied warranty, or rescission of sale to the extent that the judgement arises out of alleged defective or negligent manufacture, assembly, or design of motor vehicles, specialty vehicle, recreational product, parts, or accessories, or other function by the manufacturer of converter, which are beyond the control of the dealer.

§ 32:1262 Warranty; compensation; audits of dealer records

A. (1) It shall be a violation of this Chapter for a manufacturer ~~of motor vehicles~~, a distributor, a wholesaler, distributor branch or factory branch, or officer, agent or other representative thereof to fail to adequately and fairly compensate its dealers for labor, parts, and other expenses incurred by such dealer to perform under and comply with a manufacturer's or a distributor's warranty agreement.

B. (1)

(2)

(3) A manufacturer or distributor shall not deny a claim solely based on a ~~motor vehicle~~ dealer's incidental failure to comply with a specific claim processing requirement, or a clerical error, or other administrative technicality.

§ 32:1263 Motor vehicle repairs

Suppliers of mechanical repairs and services for ~~motor vehicles~~ for any vehicle subject to regulation under this Chapter shall provide each consumer with an itemized bill indicating repairs and services performed, parts replaced, or materials used, the total labor charge, and the identity of the mechanic, repairman, or supplier who performed the work. However, nothing in this Section shall prohibit a supplier of mechanical repairs and services from charging a service fee for the use of shop supplies such as rags, fender covers, small amounts of fluid, or other items which are not itemized, provided that said fee does not exceed five percent of the total invoice for mechanical repairs or thirty-five dollars, whichever is less.

§ 32:1264 Damage disclosure

A. Whenever a new ~~motor vehicle~~ vehicle subject to regulation under this Chapter is sold to any person, the seller shall notify the purchaser of any body damage or mechanical damage which the vehicle has sustained that exceeds six percent of the manufacturer's suggested retail price. Such notice shall be in writing and a copy thereof shall be delivered to the purchaser prior to or simultaneous with transfer of the vehicle title.

B. This Section shall apply to all instances of vehicular body or mechanical damage to ~~new motor~~ vehicles and to all actions involving such damage, notwithstanding the application of other codal, statutory, or regulatory provisions, including but not limited to Civil Code Articles 2520, et seq.

§ 32:1268 Requirements upon termination; penalty; indemnity

A. (1) In the event the licensee ceases to engage in the business of being a motor vehicle, recreational vehicle or specialty vehicle dealer, or ceases to sell a particular make of motor vehicle, recreational product or specialty vehicle and after notice to the manufacturer, converter, distributor, or representative by ~~registered~~ ~~or~~ certified mail or commercial delivery service with verification of receipt, within thirty days of the receipt of the notice by the manufacturer, converter, distributor, or representative, the manufacturer, converter, distributor, or representative shall repurchase:

(a) All new motor vehicle, recreational product and specialty vehicles of the current and last prior model year delivered to the licensee and parts on hand that have not been damaged or substantially altered to the prejudice of the manufacturer while in the possession of the licensee. The motor vehicle, recreational product and specialty vehicles and parts shall be repurchased at the cost to the licensee which shall include without limitation freight and advertising costs, less all allowances paid to the dealer, except that new automobiles shall be purchased on the schedule as follows:

(b)

(c)

(d) The manufacturer, converter, distributor, or representative shall pay to the dealer the costs of transporting, handling, packing, and loading of recreational product, motor and specialty vehicles or parts, signs, tools, and equipment subject to repurchase.

(2) The manufacturer or converter shall make the required repurchase after the dealer terminates

his franchise and within thirty days of the submission to it, by ~~registered or certified mail, return receipt requested, or commercial delivery service with verification of receipt, of a final inventory of motor vehicles and parts on hand.~~

B. Failure to make said repurchase without just cause shall subject the manufacturer or converter to a penalty of one and one-half percent per month or fraction thereof, of the inventory value or returnable recreational product, specialty and motor vehicles and parts, signs, special tools, and automotive service equipment, payable to the dealer, as long as said repurchase is not made.

C. (1) Upon the involuntary termination, nonrenewal, or cancellation of any franchise by the manufacturer or converter, except for termination, nonrenewal, or cancellation resulting from a felony conviction, notwithstanding the terms of any franchise, whether entered into before or after the enactment of this Chapter or any of its provisions, the new motor vehicle, recreational product or specialty vehicle dealer shall be allowed fair and reasonable compensation by the manufacturer or converter as agreed by the parties, or lacking agreement, as determined by the commission, for the dealership facilities if the facilities were required to be purchased or constructed as a precondition to obtaining the franchise or to its renewal; provided that if such facilities were leased and the lease were required as a precondition to obtaining the franchise or to its renewal, then the manufacturer or converter shall be liable for one year's payment of the rent or the remainder of the term of the lease, whichever is less.

~~§ 32:1268.1. Manufacturer mandatory repurchase; motorcycle or all-terrain vehicle dealer; marine dealer; recreational or travel trailer dealer; utility trailer dealer~~

~~A. (1) In the event that a dealer ceases to engage in the business of being a motorcycle or all-terrain vehicle dealer, or ceases to sell a particular make of motorcycle or all-terrain vehicle, and after notice thereof to the manufacturer or distributor by registered or certified mail, return receipt requested within thirty days thereafter, the manufacturer or distributor, at a minimum, shall repurchase all new and unused motorcycles and all-terrain vehicles of the current and immediate prior model year and all parts on hand that are currently listed in the manufacturer's price book that have not been damaged or substantially altered to the prejudice of the manufacturer while in the possession of the dealer and all required demonstrators:~~

~~(2) The manufacturer shall make the required repurchase after the dealer terminates his franchise, selling, or other contractual agreement and within sixty days of the submission by the dealer to the manufacturer, by registered or certified mail, return receipt requested, of a final inventory of motorcycles and all-terrain vehicles, and parts on hand:~~

~~B. (1) In the event that a dealer ceases to engage in the business of being a marine dealer, or ceases to sell a particular make of marine product, and after notice thereof to the manufacturer or distributor by registered or certified mail return receipt requested within thirty days thereafter, the manufacturer or distributor, at a minimum, shall repurchase all new and unused marine products of the current and immediate prior model year and all parts on hand that are currently listed in the manufacturer's price book that have not been damaged or substantially altered to the prejudice of the manufacturer while in the possession of the dealer and all required demonstrators. However, whenever the marine dealer gives notice of termination of the contract, franchise, or selling agreement, the manufacturer or distributor shall have the right to appoint an Independent Marine Surveyor to inspect the marine dealer's inventory to determine whether or not the inventory has been substantially altered or damaged to the prejudice of the manufacturer, through neglect or otherwise, while in the possession of the marine dealer and shall determine a fair diminution of value caused by such alteration, damage, or neglect. If the Independent Marine Surveyor finds that the inventory of marine products has been so altered, damaged, or neglected, the value assessment of the inventory of marine products established by him shall be considered by the commission in determining the market value of the inventory:~~

~~(2) The manufacturer shall make the required repurchase after the dealer terminates his franchise, selling, or other contractual agreement and within sixty days of the submission by the dealer to the manufacturer, by registered or certified mail return receipt requested, of a final inventory of marine products and parts on hand:~~

~~(3)(a) Notwithstanding the provisions of Paragraph (1) and (2) of this Subsection, in the event that a dealer in marine products ceases to engage in the business of being a marine dealer of a specified brand of boats, boat packages, or marine motors, and the dealer has an area of responsibility that is not shared with another marine dealer, the manufacturer or distributor may appeal the repurchasing requirements of Paragraph (1) of this Subsection and the penalties imposed pursuant to Paragraph (2) of this Subsection, to the commission to determine whether or not the requirements of these Paragraphs are fair and equitable under the circumstances:~~

~~(b) Any appeal under the provisions of this Section shall be filed with the commission within fifteen days of receipt of notice from the marine dealer that the franchises, sales and service, or similar agreement has been terminated:~~

~~(c) The commission shall consider all relevant evidence and render a decision within thirty days of the day the appeal was filed. Either party may appeal the decision of the commission provided that a commercial surety bond is posted to compensate the prevailing party for compliance with the commission's decision:~~

~~G. (1) In the event that a dealer ceases to engage in the business of being a recreational vehicle or travel trailer dealer, or ceases to sell a particular make of recreational vehicle or travel trailer, and after notice thereof to the manufacturer or distributor by registered or certified mail return receipt requested within thirty days thereafter, the manufacturer or distributor, at a minimum, shall repurchase all new and unused recreational vehicles and travel trailers of the current and immediate prior model year and all parts on hand that are currently listed in the manufacturer's price book that have not been damaged or substantially altered~~

~~to the prejudice of the manufacturer while in the possession of the dealer and all required demonstrators.~~

~~(2) The manufacturer shall make the required repurchase after the dealer terminates his franchise, selling, or other contractual agreement and within sixty days of the submission by the dealer to the manufacturer, by registered or certified mail return receipt requested, of a final inventory of recreational vehicles and travel trailers and parts on hand.~~

~~D. (1) In the event that a dealer ceases to engage in the business of being a utility trailer dealer, or ceases to sell a particular make of utility trailer, and after notice thereof to the manufacturer or distributor by registered or certified mail return receipt requested within thirty days thereafter, the manufacturer or distributor, at a minimum, shall repurchase all utility trailers of the current and immediate prior model year and all parts on hand that are currently listed in the manufacturer's price book that have not been damaged or substantially altered to the prejudice of the manufacturer while in the possession of the dealer and all required demonstrators.~~

~~(2) The manufacturer shall make the required repurchase after the dealer terminates his franchise, selling, or other contractual agreement and within sixty days of the submission by the dealer to the manufacturer, by registered or certified mail return receipt requested, of a final inventory of utility trailers and parts on hand.~~

~~E. Failure to make said repurchase said repurchase without just cause shall subject the manufacturer to a penalty of one and one-half percent per month or fraction thereof of the inventory value of returnable marine products and parts, utility trailers and parts, recreational vehicles and travel trailers and parts, or motorcycles and all terrain vehicles and parts, payable to the dealer, commencing on the sixty-first day following the date of receipt of the final inventory and continuing until such time as said repurchase is made.~~

A brief discussion ensued regarding the proposed changes and the 2010 regular session of the Louisiana legislature.

Counselor McCranie presented to the Commission Members copies of proposed changes to the Louisiana Motor Vehicle Commission rules and regulations for their consideration and review. Counselor McCranie explained that most of the proposed rules are "clean up" language of the current rules, i.e., the current rule had the domicile of the Commission at the old location of the Commission and some rules were not needed as the language was now in the statute.

NOTICE OF INTENT

**Office of the Governor
Louisiana Motor Vehicle Commission**

**Clarification Rule
(LAC 46:V.Chapters 1, 3, 5, 7, 9, 11, 13, 15, 17, and 19)**

In accordance with the provisions of the Administrative Procedures Act R.S. 49:950 et seq., and in accordance with Revised Statutes Title 32, Chapter 6, the Office of the Governor, Louisiana Motor Vehicle Commission, notice is hereby given that the Louisiana Motor Vehicle Commission proposes to repeal provisions of its rules relating to hearings and replace them with existing and new regulations and language to clarify the Rule as follows:

- §101, "License Required" will become "Definitions" (formerly §707);
- §103, "Application for License" will become "Communication with Commission" (formerly §107);
- §105, "Violation of License Requirement" will become "Powers and Duties of Executive Director" (formerly §109);

Rules will be adopted to implement the provisions of R.S. 32:1268.2 with regard to the disposal of inventory and R.S. 32:1256 with regard to new motor vehicle auto shows. Certain sections will be amended with language to clarify the rules and put into the rule customary procedures of the commission which will assist licensees in dealing with the regulatory scheme assigned the commission.

**Title 45
PROFESSIONAL AND OCCUPATIONAL STANDARDS
Part V. Automotive Industry**

**Subpart 1. Motor Vehicle Commission
Chapter 1. General Requirements**

§101. License Required

Repealed.

AUTHORITY NOTE: Adopted in accordance with R.S. 32:1254 and R.S. 32:1253.

HISTORICAL NOTE: Adopted by the Department of Commerce, Motor Vehicle Commission, October 11, 1960, filed with the Office of the State Register August 14, 1974, repromulgated April 10, 1975 to be effective June 9, 1975, repealed by the Office of the Governor, Louisiana Motor Vehicle Commission, LR 36:

§103. Application for License

Repealed.

AUTHORITY NOTE: Adopted in accordance with R.S. 32:1254.

HISTORICAL NOTE: Adopted by the Department of Commerce, Motor Vehicle Commission, October 11, 1960, filed with the Office of the State Register August 14, 1974, repromulgated April 10, 1975 to be effective June 9, 1975, repealed by the Office of the Governor, Louisiana Motor Vehicle Commission, LR 36:

§ 105. Violation of License Requirement

Repealed.

AUTHORITY NOTE: Adopted in accordance with R.S. 32:1254.

HISTORICAL NOTE: Adopted by the Department of Commerce, Motor Vehicle Commission, October 11, 1960, filed with the Office of the State Register August 14, 1974, repromulgated April 10, 1975 to be effective June 9, 1975, repealed by the Office of the Governor, Louisiana Motor Vehicle Commission, LR 36:

§113. Hearings on Area of Responsibility Disputes

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:785.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Recreational and Used Motor Vehicle Commission, LR 32:1223 (July 2006), amended LR 33:1638 (August 2007), repromulgated by the Office of the Governor, Louisiana Motor Vehicle Commission, LR 35:1525 (August 2009), repealed LR 36:

§115. Hearings on a Repurchase Demands

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:785.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Recreational and Used Motor Vehicle Commission, LR 32:1223 (July 2006), amended LR 33:1638 (August 2007), repromulgated by the Office of the Governor, Louisiana Motor Vehicle Commission, LR 35:1525 (August 2009), repealed LR 36:

§ 101. Definitions

[Previously §707]

Abbreviations – using shortened terms for words or initials for groups of words. Commonly understood abbreviations, such as "2 DR", "AM/FM", "APR", "WAC", "DEMO", "EXEC", "DOC FEE", may be used. Trade industry abbreviations which are not commonly understood, such as "FTB", "A/R", "TOP", "POF", "DOC", MAY NOT be used. This rule does not contain a list of all the abbreviations one may not use.

Advertisement – an oral, written, telecommunicated, graphic, or pictorial statement made in the course of soliciting business, including, without limitation, a statement or representation made in a newspaper, magazine, or other publication, or contained in a notice, sign, poster, display, circular, pamphlet, letter, flyer, price tag, window sticker, banners, billboards, handbills, or on radio, the Internet, or via on-line computer service, or on television or on-hold messaging, any medium.

Bait Advertisement – an alluring but insincere offer to sell or lease a product of which the primary purpose is to obtain leads to persons interested in buying or leasing merchandise of the type advertised and to switch consumers from buying or leasing the advertised product in order to sell some other product at a higher price or on a basis more advantageous to the advertiser.

Balloon Payment – any scheduled payment required by a consumer credit sale or consumer loan that is more than twice as large as the average of all prior scheduled payments except the down payment.

Commission – means the Louisiana Motor Vehicle Commission.

Dealership addendum – means a form which is to be displayed on a window of a motor vehicle when the dealership installs special features, equipment, parts or accessories, or charges for services not already compensated by the manufacturer or distributor for work required to prepare a vehicle for delivery to a buyer.

1. The addendum is to disclose:

a. that it is supplemental;

b. any added feature, service, equipment, part, or accessory charged and added by the dealership and the retail price therefore;

c. any additional charge to the selling price manufacturer's suggested retail price (MSRP) such as additional dealership markup; and

d. the total dealer retail price.

2. The dealership addendum form shall not be deceptively similar in appearance to the manufacturer's label, which is required to be affixed by every manufacturer to the windshield or side window of each new motor vehicle under the Automobile Information Disclosure Act.

Demonstrator – a new motor vehicle that is currently in the inventory of the automobile dealership and used or has been used primarily for test drives by customers and other dealership purposes and so designated by the dealership. Demonstrators may be advertised for sale as such only by an authorized dealer in the same make of motor vehicle.

Disclaimer – those words or phrases used to provide a clear understanding of any advertised statement, but not used to contradict or change the meaning of the statement.

Disclosure -- a clear and conspicuous statement made in such size, color, contrast, location, duration, and audibility that it is readily noticeable, readable and understandable. The disclosure may not contradict or be inconsistent with any other information with which it is presented. If the disclosure modifies, explains, or clarifies other information with which it is presented, or states "see dealership for details," then it must be presented in proximity to the information it modifies, in a manner readily noticeable, readable, and understandable, and it must not be obscured in any manner.

1. An audio disclosure must be delivered in a volume and cadence sufficient for a consumer to hear and comprehend it.

2. A visual disclosure for television must appear on the screen for a duration sufficient for a consumer to read and comprehend it.

3. In a print or internet advertisement or promotional material, including without limitation point of sale display or brochure materials directed to consumers, a disclosure must be in a type size and location sufficiently noticeable for a consumer to read and comprehend it, in a print that contrasts with the background against which it appears.

For purposes of these rules, qualifying terms and phrases will be considered to be clearly, conspicuously and accurately set forth if they are:

a. in bold print and type of such size that is capable of being read without unreasonable extra effort;

b. expressed in terms that are understandable to the buying public; and

c. in close proximity to the qualified representation and not separated or buried by asterisk in some other part of the advertisement.

Factory Executive/Official Vehicle – a new motor vehicle that has been used exclusively by an executive or official of the dealer's franchising manufacturer, distributor or their subsidiaries.

Internet – a system that connects computers or computer network.

Licensee – any person required to obtain a license from the ~~Louisiana Motor Vehicle Commission~~.

Manufacturer's label – the label required by the Automobile Information Disclosure Act, 15 U.S.C. 1231-1233, to be affixed by the manufacturer to the windshield or side window of each new automobile delivered to the dealer.

Program Vehicle – a used vehicle that is purchased at a manufacturer's closed auction or sold by or directly from the manufacturer or distributor which is current or previous year model, that has been previously tagged and/or titled, and returned to the manufacturer for disposal.

Rebate or Cash Back – a sum of money refunded to a purchaser for their benefit by the manufacturer or distributor after full payment has been rendered. The purchaser may choose to reduce the amount of the purchase price by the sum of money or the purchaser may opt for the money to be returned to himself or for his benefit subsequent to payment in full.

Vehicle - any motor vehicle or recreational product subject to regulation by the commission.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:1253 E.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Louisiana Motor Vehicle Commission, LR 34:75 (January 2008), amended by the Office of the Governor, Louisiana Motor Vehicle Commission, LR 36:

§ 103. Communication with Commission

[Previously §107]

A. All communications with the ~~Commission~~ commission should be addressed to its office, ~~234 Loyola Avenue, New Orleans, Louisiana 70112~~, 3519 12th Street, Metairie, Louisiana 70002. All necessary forms may be obtained at such office.

AUTHORITY NOTE: Adopted in accordance with R.S. 32:1253.

HISTORICAL NOTE: Adopted by the Department of Commerce, Motor Vehicle Commission, October 11, 1960, filed with the Office of the state Register August 14, 1974, repromulgated April 10, 1975 to be effective June 9, 1975, amended by the office of the Governor, Louisiana Motor Vehicle Commission, LR 36:

§105. Powers and Duties of Executive Secretary Director

[Previously §109]

A. The ~~Executive Secretary Director~~ of the ~~Louisiana Motor Vehicle Commission~~ shall have charge of the office of ~~said~~ the commission, the clerical help therein, the books and records of the commission, and the financial accounts of the commission, subject to the orders and instructions of the commission. He shall attend to such routine correspondence and other activities as may not require official action by the commission itself, and shall perform such other tasks as the commission may delegate to him. The executive director has the authority to issue all licenses upon receipt of applications that comply with the statutes and rules of the commission. He shall endeavor to obtain all necessary information and so handle and process the preliminary aspects of matters which are to come before the commission for official action that when placed before the commission the matter will be in shape for proper official action.

AUTHORITY NOTE: Adopted in accordance with R.S. 32:1253.

HISTORICAL NOTE: Adopted by the Department of Commerce, Motor Vehicle Commission, October 11, 1960, filed with the Office of the state Register August 14, 1974, repromulgated April 10, 1975 to be effective June 9, 1975, amended by the office of the Governor, Louisiana Motor Vehicle Commission, LR 36:

§107. Manufacturer Termination of Franchise: Liquidation of New Vehicle Inventory: Exception

A. If the termination, cancellation, or nonrenewal of a licensee's franchise by the manufacturer, distributor, or factory branch is the result of the termination, elimination, or cessation of a motor vehicle or recreational product line (a "vehicle"), whether by bankruptcy, closure of its business or otherwise (the "termination"), the license issued by the commission may remain in effect or be renewed at the discretion of the commission under the following circumstances:

1. The vehicle(s) was acquired in the ordinary course of business as a new vehicle by a person licensed to sell that vehicle.

2. The termination is not a result of the revocation by the commission of the licensee's license or the licensee's conviction of a crime.

3. The vehicle is held in the inventory of the licensee on the date of the termination.

4. The vehicle is sold by the licensee within six months of the date the termination unless this period is extended upon application by the licensee in the commission's discretion.

5. The commission's discretion to allow the licensee to continue in effect does not entitle a licensee whose franchise agreement has been terminated, canceled, or rejected to continue to perform warranty service repairs or continue to be eligible to offer or receive consumer or dealer incentives offered by the manufacturer, distributor, or factory branch.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:1253.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Louisiana Motor Vehicle Commission, LR 36:

§109. Records Management; General

A. Any public record maintained by the commission may be kept in any written, photographic, microfilm, or other similar form or method, or may be kept by any magnetic, electronic, optical, or similar form of data compilation that has reasonable safeguards against erasure or alteration, including the use of programs, methods, procedures and/or services that provide secured, portable document formats and digital signatures, and for which the commission has obtained the necessary licenses and/or authorities to insure reasonable safeguards against erasure or alteration.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:1253.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Louisiana Motor Vehicle Commission, LR 36:

Chapter 3. Hearing Procedures

§ 301. Hearings

Repealed.

AUTHORITY NOTE: Adopted in accordance with R.S. 32:1256.

HISTORICAL NOTE: Adopted by the Department of Commerce, Motor Vehicle Commission, October 11, 1960, filed with the Office of the State Register August 14, 1974, repromulgated April 10, 1975 to be effective June 9, 1975, repealed by the Office of the Governor, Louisiana Motor Vehicle Commission, LR 36:

§ 303. Compulsory Attendance of Witnesses

Repealed.

AUTHORITY NOTE: Adopted in accordance with R.S. 32:1253.

HISTORICAL NOTE: Adopted by the Department of Commerce, Motor Vehicle Commission, October 11, 1960, filed with the Office of the State Register August 14, 1974, repromulgated April 10, 1975 to be effective June 9, 1975, repealed by the Office of the Governor, Louisiana Motor Vehicle Commission, LR 36:

§ 305. Notification of Hearing Decision

Repealed.

AUTHORITY NOTE: Adopted in accordance with R.S. 32:1256.

HISTORICAL NOTE: Adopted by the Department of Commerce, Motor Vehicle Commission, October 11, 1960, filed with the Office of the State Register August 14, 1974, repromulgated April 10, 1975 to be effective June 9, 1975, repealed by the Office of the Governor, Louisiana Motor Vehicle Commission, LR 36:

§ 307. Appeal

Repealed.

AUTHORITY NOTE: Adopted in accordance with R.S. 32:1256.

HISTORICAL NOTE: Adopted by the Department of Commerce, Motor Vehicle Commission, October 11, 1960, filed with the Office of the State Register August 14, 1974, repromulgated April 10, 1975 to be effective June 9, 1975, repealed by the Office of the Governor, Louisiana Motor Vehicle Commission, LR 36:

§301. Investigation and Adjudication by the Commission

A. The commission has the responsibility to consider and determine the action necessary upon all charges of conduct which fail to conform to R.S. 32:1251 et seq., as re-enacted and amended, or to the rules and regulations promulgated to carry out the provisions of this Chapter or for the violation of any other law or rule or regulation relating to the sale, lease or rental, distribution or financing of products, and any activities regulated by the commission.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:1253.E.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Motor Vehicle Commission, LR. 36:

§303. Adjudication Process and Procedures

A. The provisions of the Administrative Procedure Act shall govern proceedings on questions of violation of R.S. 32:1251 et seq., as re-enacted and amended. An adjudication proceeding, including the formal hearing, is less formal than a judicial proceeding. It is not subject to strict rules and technicalities, but must be conducted in accordance with considerations of fair play and constitutional requirements of due process.

B. The commission is empowered to conduct investigations to determine compliance with the laws and rules and regulations it administers. The executive director or its designee may issue a subpoena prior to the filing of charges if, in the opinion of the executive director, such a subpoena is necessary to investigate any potential violation or lack of compliance with R.S. 32:1251 et seq., or the rules, regulations, or orders of the commission. The subpoena may be to compel the attendance of any person to appear for the purposes of giving sworn testimony or to compel the production of books, records, papers, or other objects.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:1253.E.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Motor Vehicle Commission, LR.

§305. Formal Hearing

A. The commission has the authority to bring administrative proceedings with regard to any licensee, applicant for a license, or any person engaged in activities regulated by the commission, as well as to conduct administrative hearings with regard to disputes between its licensees regarding the provisions of R.S. 32:1251 et seq. and other laws and rules and regulations administered by the commission. A person(s), who is a party to the hearing, has the right to appear and be heard, either in person or by counsel; the right of notice, a statement of what accusations have been made; the right to present evidence and to cross-examine; and the right to have witnesses subpoenaed.

B. Notice and Service

1. The executive director fixes a time and place for a hearing.

2. Within 10 days from the time of receipt of the notice of hearing, the noticed party shall file with the executive secretary of the commission an answer admitting or denying separately and in good faith each statement of fact made in the notice. If the noticed party has no knowledge of the truth of any particular fact, he shall so state and it shall be taken as denied. Any fact not expressly denied, or knowledge thereof disclaimed, shall be considered admitted. This rule is for the purpose of preventing the loss of time and expense frequently occasioned in proving and recording facts about which there is not real controversy.

3. If the licensee, or person subject to the hearing, does not appear, in person or through counsel, after proper notice has been given, the person may be deemed to have waived his right to appear and the commission may proceed with the hearing without the presence of the person.

4. Informal disposition of any case of adjudication may be made by stipulation, agreed settlement, consent order or default.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:1253.E.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Motor Vehicle Commission, LR 36:

§307. Declaratory Orders and Rulings

A. The commission may issue a declaratory order and ruling pursuant to the Administrative Procedure Act which has the same status as a commission decision or order in an adjudicated case.

B. A request for a declaratory order and ruling shall be made in the form of a petition to the commission. The petition shall include, but shall not be limited, to the following:

1. the name and address of petitioner;

2. specific reference to the statutes or rules and regulations to which it relates;

3. a statement of the manner in which the petitioner is aggrieved by the statute or rule or by its potential application to it, or in which it is uncertain of its effects;

4. a statement of whether an oral hearing is desired;

5. Other information appropriate for the commission's deliberation on the request.

C. The petition will be considered by the commission at its next regularly scheduled meeting provided that the petition has been filed at least 30 days prior to that meeting.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:1253.E and R.S. 49:962.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Motor Vehicle Commission, LR 36:

Chapter 5. Salesmen; Dealers; Distributors

§ 501. Licenses for Salesmen

A. The requirement of licenses for salesmen, as set forth in the ~~Louisiana Motor Vehicle Commission Law, R.S. 32:1251 et seq.~~, includes ~~any sales manager any person~~ whose duties include, in whole or in part, the selling, financing, insuring, or participating in the selling of new motor vehicles; ~~or recreational products unless such sales manager be, in whole or in part, an owner of the business, participating in the profits and losses.~~

AUTHORITY NOTE: Adopted in accordance with R.S. 32:1253.E.

HISTORICAL NOTE: Adopted by the Department of Commerce, Motor Vehicle Commission, October 11, 1960, filed with the Office of the state Register August 14, 1974, repromulgated April 10, 1975 to be effective June 9, 1975 amended by the Office of the Governor, Louisiana Motor Vehicle Commission, LR 36:

§ 503. Unlicensed Salesmen

A. It is illegal for licensees to employ unlicensed salesmen. A salesman must possess a separate license for every licensee and location for which he engages in any selling activity.

AUTHORITY NOTE: Adopted in accordance with R.S. 32:1253.E.

HISTORICAL NOTE: Adopted by the Department of Commerce, Motor Vehicle Commission, October 11, 1960, filed with the Office of the state Register August 14, 1974, repromulgated April 10, 1975 to be effective June 9, 1975 amended by the Office of the Governor, Louisiana Motor Vehicle Commission, LR 36:

§ 505. Licensee Employing Salesmen

Repealed.

AUTHORITY NOTE: Adopted in accordance with R.S. 32:1256.

HISTORICAL NOTE: Adopted by the Department of Commerce, Motor Vehicle Commission, October 11, 1960, filed with the Office of the state Register August 14, 1974, repromulgated April 10, 1975 to be effective June 9, 1975 amended by the Office of the Governor, Louisiana Motor Vehicle Commission, LR 36:

§ 507. 505 Pocket License Card

A. Every motor vehicle salesman, factory representative, and distributor representative, when licensed, will be licensed to represent his employer and must keep his pocket license card on his person, and his employer must retain possession of the license certificate until termination of such employment. Said motor vehicle salesman, factory representative, or distributor representative may not represent another employer without first being issued a license to represent the said particular employer.

AUTHORITY NOTE: Adopted in accordance with R.S. 32:1256.

HISTORICAL NOTE: Adopted by the Department of Commerce, Motor Vehicle Commission, October 11, 1960, filed with the Office of the state Register August 14, 1974, repromulgated April 10, 1975 to be effective June 9, 1975 amended by the Office of the Governor, Louisiana Motor Vehicle Commission, LR 36:

§ 509. 507 Termination of Salesman; Return of Pocket Card and License

A. All licenses having motor vehicle salesmen in their employ must, upon termination of such employment, report same to the ~~Louisiana Motor Vehicle C~~ commission and see to it that said motor vehicle salesman's pocket card and license certificate are immediately returned to the ~~Louisiana Motor Vehicle C~~ commission.

AUTHORITY NOTE: Adopted in accordance with R.S. 32:1253.E.

HISTORICAL NOTE: Adopted by the Department of Commerce, Motor Vehicle Commission, October 11, 1960, filed with the Office of the state Register August 14, 1974, repromulgated April 10, 1975 to be effective June 9, 1975 amended by the Office of the Governor, Louisiana Motor Vehicle Commission, LR 36:

§ 544. 509 Unlicensed Salesmen; Prohibition against Use Of

A. ~~Motor Vehicle dealers~~ Licensees shall not employ or compensate unlicensed motor vehicle salesmen to sell ~~new motor~~ vehicles, and shall not employ or utilize the services of used motor vehicle lots or dealers or other unlicensed "bird dogs" in connection with the sale of ~~new motor~~ vehicles.

AUTHORITY NOTE: Adopted in accordance with R.S. 32:1253.E.

HISTORICAL NOTE: Adopted by the Department of Commerce, Motor Vehicle Commission, October 11, 1960, filed with the Office of the state Register August 14, 1974, repromulgated April 10, 1975 to be effective June 9, 1975 amended by the Office of the Governor, Louisiana Motor Vehicle Commission, LR 36:

§ 543. 511 Display of License

A. Every ~~motor vehicle dealer or distributor~~ licensee must post his license certificate as such in a prominent place in his place of business, stated in such license certificate, and ~~dealers and distributors licensees~~ having more than one place of business in Louisiana must obtain a separate license for each place of business and post in each place of business in a prominent place the license for such place of business.

AUTHORITY NOTE: Adopted in accordance with R.S. 32:1253.E.

HISTORICAL NOTE: Adopted by the Department of Commerce, Motor Vehicle Commission, October 11, 1960, filed with the Office of the state Register August 14, 1974, repromulgated April 10, 1975 to be effective June 9, 1975 amended by the Office of the Governor, Louisiana Motor Vehicle Commission, LR 36:

§ 545. 513 License Prior to Shipment

A. A manufacturer, distributor, factory representative, or distributor representative shall not ship or sell motor vehicles or recreational products to a ~~Motor Vehicle Dealer~~ licensee until the ~~Motor Vehicle Dealer~~ licensee shall have been licensed by the ~~Louisiana Motor Vehicle C~~ commission.

AUTHORITY NOTE: Adopted in accordance with R.S. 32:1253.E.

HISTORICAL NOTE: Adopted by the Department of Commerce, Motor Vehicle Commission, October 11, 1960, filed with the Office of the state Register August 14, 1974, repromulgated April 10, 1975 to be effective June 9, 1975 amended by the Office of the Governor, Louisiana Motor Vehicle Commission, LR 36:

CHAPTER 7. Advertising

§703. General Prohibition

A. A person advertising motor vehicles shall not use false, deceptive, unfair, or misleading advertising.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:1253 E.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Louisiana Motor Vehicle Commission, LR 34:75 (January 2008) amended by the Office of the Governor, Louisiana Motor Vehicle Commission, LR 36:

§705. Specific Rules

A. The violation of an advertising rule shall be considered by the commission as a prima facie violation of the Louisiana Motor Vehicle Commission Law R.S. 32:1251 et seq. In addition to a violation of a specific advertising rule, any other advertising or advertising practices found by the commission to be false, deceptive, or misleading shall be deemed a violations of the Louisiana Motor Vehicle Commission Law, R.S. 32:1251 et seq. and shall also be considered a violations of the general prohibition.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:1253 E.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Louisiana Motor Vehicle Commission, LR 34:75 (January 2008), amended by the Office of the Governor, Louisiana Motor Vehicle Commission, LR 36:

§707. Reserved.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:1253 E.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Louisiana Motor Vehicle Commission, LR 34:75 (January 2008)

§709. Availability of Vehicles

A. - A.2. ...

B. ~~Motor vehicle dealers~~ Licensees may advertise a specific used vehicle or vehicles for sale if:

B.1. - C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:1253 E.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Louisiana Motor Vehicle Commission, LR 34:75 (January 2008), amended by the Office of the Governor, Louisiana Motor Vehicle Commission, LR 36:

§713. Untrue Claims

A.1. - 5. ...

6. specific claims or discount offers shall not be used in connection with any motor vehicle other than new or a demonstrator and then only to show the difference between the dealer's own current selling price and the bona fide manufacturer's suggested list price, if an automobile, or manufacturer's suggested retail price, if a truck or recreational product. Full explanation must be given, as for example, "Save or discount \$ from manufacturer's list/retail price." Such statements as "Up To," "As Much As," "From"- "To," etc., shall not be used in connection with savings claims.

7.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:1253 E.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Louisiana Motor Vehicle Commission, LR 34:75 (January 2008), amended by the Office of the Governor, Louisiana Motor Vehicle Commission, LR 36:

§717. Manufacturer's Suggested Retail Price

A. The suggested retail price of a new motor vehicle when advertised by a manufacturer or distributor shall include all costs and charges for the vehicle advertised, except that destination and dealer preparation charges, state and local taxes, title, and license fees may be excluded from such price, provided that the advertisement clearly and conspicuously states that such costs and charges are excluded. With respect to advertisements placed with local media in Louisiana by a manufacturer or distributor which includes the names of the local dealers of the vehicles advertised, if the price of a vehicle is stated in the advertisement, such price must include all costs and charges for the vehicle advertised, including destination and dealer preparation charges and may exclude only state and local taxes, license, and title fees.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:1253 E.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Louisiana Motor Vehicle Commission, LR 34:75 (January 2008), amended by the Office of the Governor, Louisiana Motor Vehicle Commission, LR 36:

§719. Dealer Price Advertising

A. The featured price of a new or used motor vehicle, when advertised, must be the full cash price for which the vehicle will be sold to any and all members of the buying public. The only charges that may be excluded from the advertised price are:

A.1. - B. ...

C. If a price advertisement of a new motor vehicle discloses a rebate, cash back, discount savings claim, or other incentive, the full cash price of the vehicle must be disclosed as well as the price of the vehicle after deducting the incentive. The following is an acceptable format for advertising a price with rebates and other deductions.

Mfg. Sugg. Retail Price	\$9,995
less rebate	500
less dealer discount	500
Sale Price	\$8,995

D.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:1253 E.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Louisiana Motor Vehicle Commission, LR 34:75 (January 2008), amended by the Office of the Governor, Louisiana Motor Vehicle Commission, LR 36:

§721. Identification

A.-B. ...

C. An illustration of a **motor** vehicle used in an advertisement must be substantially the same as that of the **motor** vehicle advertised.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:1253 E.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Louisiana Motor Vehicle Commission, LR 34:75 (January 2008), amended by the Office of the Governor, Louisiana Motor Vehicle Commission, LR 36:

§729. Demonstrators, Factory Executive/Official Vehicles

A. If a demonstrator or factory executive/official vehicle is advertised, the advertisement must clearly and conspicuously identify the vehicle as a demonstrator or factory executive/official vehicle. A demonstrator or factory executive/official vehicle may be sold only by a dealer franchised and licensed to sell that line-make of **new motor** vehicle.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:1253 E.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Louisiana Motor Vehicle Commission, LR 34:75 (January 2008), amended by the Office of the Governor, Louisiana Motor Vehicle Commission, LR 36:

§747. Savings Claims; Discounts

A. ...

B. The featured savings claim or discount offer for a **new motor** vehicle, when advertised, must be the savings claim or discount which is available to any and all members of the buying public.

C. If a dealer has added an option obtained from the manufacturer or distributor of the **motor** vehicle on which it is installed and disclosed the option and factory suggested retail price of the option on a dealership addendum sticker prior to offering the vehicle for sale at retail, the dealer may advertise a savings claim on that vehicle as long as the difference is shown between the dealer's selling price and the total selling price as disclosed on the dealership addendum sticker and discloses the factory-available options added in the advertisement. If an option that is added by a dealer is not a factory-available option, a savings claim may not be advertised on that vehicle.

D. ...

E. No person may advertise a savings claim or discount offer on used **motor** vehicles.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:1253 E.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Louisiana Motor Vehicle Commission, LR 34:75 (January 2008), amended by the Office of the Governor, Louisiana Motor Vehicle Commission, LR 36:

Chapter 9. Prohibitions

Repealed.

Chapter 11. Amending Rules

Repealed.

Chapter 43. 9 Franchised Dealer Requirements

§1301. 901. Display Showroom Requirement

A. ...

B. Provided that low speed vehicles as defined from time to time by the Office of Motor Vehicles and exclusive heavy duty truck dealers are not required to maintain a display showroom as required by this Section.

AUTHORITY NOTE: Adopted in accordance with R.S. 32:1253.

HISTORICAL NOTE: Adopted by the Department of Commerce, Motor Vehicle Commission, October 11, 1960, filed with the Office of the state Register August 14, 1974, repromulgated April 10, 1975 to be effective June 9, 1975, amended LR 9:543 (August 1983), amended by the Office of the Governor, Louisiana Motor Vehicle Commission, LR 36:

§1303. Warranty Work

Repealed.

AUTHORITY NOTE: Adopted in accordance with R.S. 32:1254.

HISTORICAL NOTE: Adopted by the Department of Commerce, Motor Vehicle Commission, October 11, 1960, filed with the Office of the State Register August 14, 1974, repromulgated April 10, 1975 to be effective June 9, 1975, repealed by the Office of the Governor, Louisiana Motor Vehicle Commission, LR 36:

Chapter 45: 11. Motor Vehicle Repairs and Services

§1504. 1101. Definitions

A. For the purpose of Chapter 45 11 only, the following definitions shall apply.

Anticipated Repairs, Services, Labor, and Parts - those repairs, services, labor, and parts, which based on the judgement, training, and experience of the supplier will be foreseeably required in order to achieve the results desired by the consumer who requests repairs and services.

Necessary Repairs, Services, Parts and Labor - those repairs, services, parts and labor which, in the judgement of the supplier, are required to fully remedy or prevent a defect or malfunction.

Original Estimate - an approximation of the cost of anticipated repairs and services to be performed by a supplier which does not exceed the subsequent actual cost of such anticipated repairs and services by more than 25 percent.

Supplier - any new or unused **motor** vehicle dealer who furnishes or supplies **motor** vehicle repairs and services, either directly or through the employment of other mechanics or repairmen; provided, however, that **motor** vehicle repairs and services performed on **motor** vehicles over 20,000 pounds, GVWR are excluded for the purposes of Chapter 45 11.

AUTHORITY NOTE: Adopted in accordance with R.S. 32:1253.

HISTORICAL NOTE: Adopted by the Department of Commerce, Motor Vehicle Commission, October 11, 1960, filed with the Office of the state Register August 14, 1974, repromulgated April 10, 1975 to be effective June 9, 1975 amended by the Office of the Governor, Louisiana Motor Vehicle Commission, LR 36:

§1503. 1103. Unfair Acts and Practices

A. - A.1.a. ...

b. the requirement of ~~§4503~~ 1103 shall be satisfied by the statement of a flat rate price if such repairs and services are customarily done and billed on a flat rate basis;

c. ...

d. a fair charge may be made by the supplier for the service of preparing this written estimate; said charge not to exceed \$5.00 for an estimate up to \$200.00 and not to exceed \$10.00 for estimate in excess of \$200.00 if same is made on the premises of the supplier, and notice of this charge must be posted as designated in ~~§4503~~ 1103.A.3;

A.2. – 10.a. ...

b. the requirements of ~~§4503~~ 1103.A.10.a shall be satisfied by a bill reflecting a flat rate price if such repairs and services are customarily done and billed on a flat rate basis.

AUTHORITY NOTE: Adopted in accordance with R.S. 32:1253.

HISTORICAL NOTE: Adopted by the Department of Commerce, Motor Vehicle Commission, October 11, 1960, filed with the Office of the state Register August 14, 1974, repromulgated April 10, 1975 to be effective June 9, 1975 amended by the Office of the Governor, Louisiana Motor Vehicle Commission, LR 36:

§4505: 1105. Replaced Parts

A. ...

AUTHORITY NOTE: Adopted in accordance with R.S. 32:1253.

HISTORICAL NOTE: Adopted by the Department of Commerce, Motor Vehicle Commission, October 11, 1960, filed with the Office of the state Register August 14, 1974, repromulgated April 10, 1975 to be effective June 9, 1975 amended by the Office of the Governor, Louisiana Motor Vehicle Commission, LR 36:

Chapter 17. Motor Vehicle Lessor

Repealed.

Chapter 13. New Motor Vehicle Auto Shows

§1301. Authorization for Auto Show

A. The commission may authorize or prohibit motor vehicle sales and shows at offsite locations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:1253.E.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Motor Vehicle Commission, LR 36:

§1303. Application for Show Permit

A. The organizer or promoter of a new motor vehicle auto show shall be required to obtain a license from the commission and its request for a license shall consist of the following:

1. the application shall be on a form prescribed by the commission and shall require such information as the commission deems necessary to enable it to determine the qualifications and eligibility of the applicant;

2. a license fee of \$500;

3. the license shall be for the new motor vehicle auto show subject of the application.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:1253.E.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Motor Vehicle Commission, LR 36:

§1305. Show Requirements

A. The application must be submitted to the commission no less than 60 days prior to the opening date of the event and must include a list of all licensed motor vehicle dealers within the geographical area.

B. Only licensed motor vehicle dealers may conduct sales of motor vehicles at such sales and shows.

C. The show must be for a particular geographical area, not less than a parish. The geographical area cannot include a part of a parish.

D. All licensed motor vehicle dealers within the show's geographical area must be offered the opportunity to participate in the show.

E. A majority of the licensed motor vehicle dealers within the show's geographical area must participate in the event.

F. Each respective manufacturer shall grant authority to the respective dealers participating to conduct the sale or show of motor vehicles at the proposed offsite location.

G. A licensed motor vehicle dealer may participate in only two shows in a calendar year.

H. Not less than 30 days prior to the opening day of the show the commission must receive a list of all participating licensed motor vehicle dealers together with the consent of each respective manufacturer.

I. Participation by a licensed motor vehicle dealer shall include display of vehicles and presence of dealer personnel.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:1253.E.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Motor Vehicle Commission, LR 36:

Chapter 19. Marine Products Area of Responsibility

Repealed.

Family Impact Statement

1. What effect will this rule have on the stability of the family? The proposed rule should have a positive effect on the stability of the family.

2. What effect will this have on the authority and rights of persons regarding the education and supervision of their children? The proposed rule will not affect the authority and rights of persons regarding the education and supervision of their children.

3. What effect will this have on the functioning of the family? This rule will have no effect on the functioning of the family.

4. What effect will this have on family earnings and family budget? The rule will not affect the family earnings or family budget.

5. What effect will this have on the behavior and personal responsibility of children? This rule will not affect the behavior or personal responsibility of children.

6. What effect will this have on the ability of the family or local government to perform the function as contained in this proposed rule? This rule is designed to help the family to obtain the information and help needed to own their own automobile.

Small Business Statement

It is anticipated that the proposed rule will not have a significant adverse impact on small businesses as defined in the Regulatory Flexibility Act. The agency, consistent with health, safety, environmental and economic factors has considered and, where possible, utilized regulatory methods in drafting the proposed rule to accomplish the objectives of applicable statutes while minimizing any anticipated adverse impact on small businesses.

Interested Persons

Any person may submit data, views or positions, orally or in writing to the Louisiana Motor Vehicle Commission, 3519 12th Street, Metairie, LA 70002 or by telephoning at 504-838-5207 and facsimile 504-838-5416.

Lessie A. House
Executive Director

After reviewing the document and a brief discussion, the Commission directed Commission staff pursue the implementation of the rules pursuant to the Administrative Procedures Act and the Louisiana Office of the Register.

The Executive Director advised the Commission Members a pre-hearing had been on January 11, 2010, pursuant to LSA-R.S. 49:961C, regarding Hearing #2009-055, West Monroe Golf Carts, Inc., 5215 I-20 Service Road, West Monroe, Louisiana 71292, for alleged violations of LSA-R.S.32:1254A.(18) Recreational products dealers and LSA-R.S. Title 46. Part V. Subpart 1. Chapter 1. General Requirements §101. License Required. In attendance representing West Monroe Golf Carts, Inc. were: James George; representing the Commission were: Chairman Raymond J. Brandt; Counselor Gregory F. Reggie; Commission Investigators, Joel Aguiard and Amy Lawson; Assistant Executive Director, Ingya Cattle; and the Executive Director. The Executive Director advised the Commission Members the following Consent Judgment had been recommended by Chairman Brandt and accepted by the representatives of West Monroe Golf Carts, Inc., if accepted and ratified by the Commission. Commissioner Guidry made a motion to accept and ratify the Consent Judgment in this matter. Commissioner Hoces seconded this motion and it was unanimously approved.

IN RE:

Hearing #2009-055

**West Monroe Golf Carts, Inc.
5215 I-20 Service Road
West Monroe, Louisiana 71292**

Alleged violations of LSA-R.S.32:1254A.(18) Recreational products dealers and LSA-R.S. Title 46. Part V. Subpart 1. Chapter 1. General Requirements §101.A. License Required

CONSENT JUDGMENT

After considering the entire record in this matter and the interest of the parties in amicably resolving it, the parties have consented to a judgment in favor of the Louisiana Motor Vehicle Commission based upon an alleged violation by West Monroe Golf Carts, Inc. of LSA-R.S.32:1254A.(18) Recreational products dealers and LSA-R.S. Title 46. Part V. Subpart 1. Chapter 1. General Requirements §101. License Required. Therefore, based on the parties' mutual consent;

IT IS ORDERED, ADJUDGED, AND DECREED that West Monroe Golf Carts, Inc., 5215 I-20 Service Road, West Monroe, Louisiana 71292, in complete satisfaction of all above-referenced violations, pay a fine to the Louisiana Motor Vehicle Commission in the amount of FIVE THOUSAND (\$5,000.00) DOLLARS.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that TWENTY-FIVE HUNDRED (\$2,500.00) DOLLARS of the fine be suspended conditioned upon West Monroe Golf Carts, Inc., 5215 I-20 Service Road, West Monroe, Louisiana 71292, being placed on ONE (1) YEAR probation beginning the date this Consent Judgment is rendered and signed and adhering to all Rules and Regulations of this Commission and Louisiana laws applicable to this Commission during the probationary period. In the event of a violation during the probationary period, the suspended portion of the fine shall become due and payable in full.

JUDGMENT RENDERED AND SIGNED this 8th day of March, 2010.

**Chairman Raymond J. Brandt
LOUISIANA MOTOR VEHICLE COMMISSION**

AGREED:

WEST MONROE GOLF CARTS, INC.

By: _____

LOUISIANA MOTOR VEHICLE COMMISSION

By: _____
Gregory F. Reggie, Esq.

The Executive Director advised the Commission Members a pre-hearing had been on January 11, 2010, pursuant to LSA-R.S. 49:961C, regarding Hearing #2009-056, Automotive Warranty Services, Inc., 175 West Jackson Boulevard, 11th Floor, Chicago, Illinois 60604, for alleged violations of Title 6. BANKS AND BANKING. CHAPTER 10-B. PART VII. LICENSING PROVISIONS. § 969.35. Authority to make consumer loans; assignees; authority to issue debt waiver or debt forgiveness agreements. A.(2) and D.; and LSA-R.S. Title 46. Part V. Subpart 3. Chapter 77. GAP Coverage. §7713. Filing. A. In attendance representing Automotive Warranty Services, Inc. were: Glen Burns, Attorney, and Joseph Fagan; representing the Commission were: Chairman Raymond J. Brandt; Counselor Gregory F. Reggie; Commission Investigators, Joel Aguillard and Amy Lawson; Assistant Executive Director, Ingya Cattle; and the Executive Director. The Executive Director advised the Commission Members the following Consent Judgment had been recommended by Chairman Brandt and accepted by the representatives of Automotive Warranty Services, Inc., if accepted and ratified by the Commission. Commissioner Guidry made a motion to accept and ratify the Consent Judgment in this matter. Commissioner Hocevar seconded this motion and it was unanimously approved.

IN RE:

Hearing #2009-056

**Automotive Warranty Services, Inc.
175 West Jackson Boulevard, 11th Floor
Chicago, Illinois 60604**

Alleged violations of Title 6. BANKS AND BANKING. CHAPTER 10-B. PART VII. LICENSING PROVISIONS. § 969.35. Authority to make consumer loans; assignees; authority to issue debt waiver or debt forgiveness agreements. A.(2) and D.; and LSA-R.S. Title 46. Part V. Subpart 3. Chapter 77. GAP Coverage. §7713. Filing. A.

CONSENT JUDGMENT

After considering the entire record in this matter and the interest of the parties in amicably resolving it, the parties have consented to a judgment in favor of the Louisiana Motor Vehicle Commission based upon an alleged violation by Automotive Warranty Services, Inc. [AWSI] of Title 6. BANKS AND BANKING. CHAPTER 10-B. PART VII. LICENSING PROVISIONS. § 969.35. Authority to make consumer loans; assignees; authority to issue debt waiver or debt forgiveness agreements. A.(2) and D.; and LSA-R.S. Title 46. Part V. Subpart 3. Chapter 77. GAP Coverage. §7713. Filing. A. Therefore, based on the parties' mutual consent;

IT IS ORDERED, ADJUDGED, AND DECREED that Automotive Warranty Services, Inc., 175 West Jackson Boulevard, 11th Floor, Chicago, Illinois 60604, in complete satisfaction of all above-referenced violations, pay a fine to the Louisiana Motor Vehicle Commission in the amount of ONE HUNDRED ELEVEN THOUSAND (\$111,000.00) DOLLARS.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that ONE HUNDRED AND ONE THOUSAND (\$101,000.00) DOLLARS of the fine be suspended conditioned upon Automotive Warranty Services, of Florida, Inc. ("AWS/FL"), 175 West Jackson Boulevard, 11th Floor, Chicago, Illinois 60604, obtaining a GAP Administrator licenses for the years of 2009 and 2010 plus a \$100 late filing fee for each year which condition has already been satisfied by or on behalf of AWS or AWS/FL; and being placed on ONE (1) YEAR probation beginning the date this Consent Judgment is rendered and signed and adhering to all Rules and Regulations of this Commission and Louisiana laws applicable to this Commission during the probationary period. In the event of a violation during the probationary period, the suspended portion of the fine shall become due and payable in full.

JUDGMENT RENDERED AND SIGNED this 8th day of March, 2010.

**Chairman Raymond J. Brandt
LOUISIANA MOTOR VEHICLE COMMISSION**

AGREED:

AUTOMOTIVE WARRANTY SERVICES, INC.

By: _____
W. Glenn Burns, Esq.

LOUISIANA MOTOR VEHICLE COMMISSION

By: _____
Gregory F. Reggie, Esq.

The Executive Director advised the Commission Members a pre-hearing had been on January 11, 2010, pursuant to LSA-R.S. 49:961C, regarding Hearing #2009-060, Pro-Trak Trailers, Inc., 20975 US Highway 80 East, Wills Point, Texas 75169, for alleged violations of LSA-R.S.32:1254A.(1) and (4); LSA-R.S.32:1254C. (12); LSA-R.S.32:1261(1)(h); and LSA-R.S. Title 46. Part V. Subpart 1. Chapter 1. General Requirements §101.A. License Required. In attendance representing Pro-Trak Trailers, Inc. were: Sylvia Trotsen; representing the Commission were: Chairman Raymond J. Brandt; Counselor Gregory F. Reggie; Commission Investigators, Joel Aguillard and Amy Lawson; Assistant Executive Director, Ingya Cattle; and the Executive Director. The Executive Director advised the Commission Members the following Consent Judgment had been recommended by Chairman Brandt and accepted by the representatives of Pro-Trak Trailers, Inc., if accepted and ratified by the Commission. Commissioner Hocevar made a motion to accept and ratify the Consent Judgment in this matter. Commissioner LeBlanc seconded this motion and it was unanimously approved.

IN RE:

Hearing #2009-060

**Pro-Trak Trailers, Inc.
20975 US Highway 80 East
Wills Point, Texas 75169**

Alleged violations of LSA-R.S.32:1254A.(1) and (4); LSA-R.S.32:1254C. (12); LSA-R.S.32:1261(1)(h); and LSA-R.S. Title 46. Part V. Subpart 1. Chapter 1. General Requirements §101.A. License Required

CONSENT JUDGMENT

After considering the entire record in this matter and the interest of the parties in amicably resolving it, the parties have consented to a judgment in favor of the Louisiana Motor Vehicle Commission based upon an alleged violation by Pro-Trak Trailers, Inc. of LSA-R.S.32:1254A.(1) and (4); LSA-R.S.32:1254C. (12); LSA-R.S.32:1261(1)(h); and LSA-R.S. Title 46. Part V. Subpart 1. Chapter 1. General Requirements §101.A. License Required. Therefore, based on the parties' mutual consent;

IT IS ORDERED, ADJUDGED, AND DECREED that Pro-Trak Trailers, Inc., 20975 US Highway 80 East, Wills Point, Texas 75169, in complete satisfaction of all above-referenced violations, pay a fine to the Louisiana Motor Vehicle Commission in the amount of FIVE THOUSAND (\$5,000.00) DOLLARS.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that TWENTY-FIVE HUNDRED (\$2,500.00) DOLLARS of the fine be suspended conditioned upon Pro-Trak Trailers, Inc., 20975 US Highway 80 East, Wills Point, Texas 75169, obtaining Recreational Product(s) Manufacturer licenses for the years of 2002 to 2010 plus a \$100 late filing fee for each year and Recreational Product(s) Manufacturer Representative licenses for the years of 2002 to 2010, late filing fees were waived, which condition has already been satisfied by or on behalf of Pro-Trak Trailers, Inc.; and being placed on ONE (1) YEAR probation beginning the date this Consent Judgment is rendered and signed and adhering to all Rules and Regulations of this Commission and Louisiana laws applicable to this Commission during the probationary period. In the event of a violation during the probationary period, the suspended portion of the fine shall become due and payable in full.

JUDGMENT RENDERED AND SIGNED this 8th day of March, 2010.

**Chairman Raymond J. Brandt
LOUISIANA MOTOR VEHICLE COMMISSION**

AGREED:

PRO-TRAK TRAILERS, INC.

By: _____

LOUISIANA MOTOR VEHICLE COMMISSION

By: _____
Gregory F. Reggie, Esq.

The Executive Director advised the Commission Members a pre-hearing had been on January 11, 2010, pursuant to LSA-R.S. 49:961C, regarding B-2009-062, Bruce's Auto Sales, Inc. DBA Scooter Bruce, 1413 Jefferson Street, Lafayette, Louisiana 70501, for alleged violations of LSA-R.S.32:1254A.(18) and LSA-R.S.32:1261(2)(d) and (e). In attendance representing Bruce's Auto Sales, Inc. DBA Scooter Bruce were: Nolan Broussard; representing the Commission were: Chairman Raymond J. Brandt; Counselor Gregory F. Reggie; Commission Investigators, Joel Aguillard and Amy Lawson; Assistant Executive Director, Ingya Cattle; and the Executive Director. The Executive Director advised the Commission Members the following Consent Judgment had been recommended by Chairman Brandt and accepted by the representatives of Bruce's Auto Sales, Inc. DBA Scooter Bruce, if accepted and ratified by the Commission. Commissioner Hocevar made a motion to accept and ratify the Consent Judgment in this matter. Commissioner LeBlanc seconded this motion and it was unanimously approved.

IN RE:

B-2009-062

Bruce's Auto Sales, Inc.
DBA Scooter Bruce
1413 Jefferson Street
Lafayette, Louisiana 70501

Alleged violations of LSA-R.S.32:1254A.(18) and LSA-R.S.32:1261(2)(d) and (e)

CONSENT JUDGMENT

After considering the entire record in this matter and the interest of the parties in amicably resolving it, the parties have consented to a judgment in favor of the Louisiana Motor Vehicle Commission based upon an alleged violation by Bruce's Auto Sales, Inc. DBA Scooter Bruce of LSA-R.S.32:1254A.(18) and LSA-R.S.32:1261(2)(d) and (e). Therefore, based on the parties' mutual consent;

IT IS ORDERED, ADJUDGED, AND DECREED that Bruce's Auto Sales, Inc. DBA Scooter Bruce, 1413 Jefferson Street, Lafayette, Louisiana 70501, in complete satisfaction of all above-referenced violations, pay a fine to the Louisiana Motor Vehicle Commission in the amount of FIVE THOUSAND (\$5,000.00) DOLLARS.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that TWENTY-FIVE HUNDRED (\$2,500.00) DOLLARS of the fine be suspended conditioned upon Bruce's Auto Sales, Inc. DBA Scooter Bruce, 1413 Jefferson Street, Lafayette, Louisiana 70501, being placed on ONE (1) YEAR probation beginning the date this Consent Judgment is rendered and signed and adhering to all Rules and Regulations of this Commission and Louisiana laws applicable to this Commission during the probationary period. In the event of a violation during the probationary period, the suspended portion of the fine shall become due and payable in full.

JUDGMENT RENDERED AND SIGNED this 8th day of March, 2010.

Chairman Raymond J. Brandt
LOUISIANA MOTOR VEHICLE COMMISSION

AGREED:

**BRUCE'S AUTO SALES, INC.
DBA SCOOTER BRUCE**

By: _____

LOUISIANA MOTOR VEHICLE COMMISSION

By: _____
Gregory F. Reggie, Esq.

The Executive Director advised the Commission Members a pre-hearing had been on January 11, 2010, pursuant to LSA-R.S. 49:961C, regarding B-2010-005, Simmons Bad Boy Buggies, LLC, 918 North Washington Street, Bastrop, Louisiana 71220, for alleged violations of LSA-R.S.32:1258A.(2). In attendance representing Simmons Bad Boy Buggies, LLC were: Lynda Ingram and David Ingram; representing the Commission were: Chairman Raymond J. Brandt; Counselor Gregory F. Reggie; Commission Investigators, Joel Aguiard and Amy Lawson; Assistant Executive Director, Ingya Cattle; and the Executive Director. The Executive Director advised the Commission Members the following Consent Judgment had been recommended by Chairman Brandt and accepted by the representatives of Simmons Bad Boy Buggies, LLC, if accepted and ratified by the Commission. Commissioner Westbrook made a motion to accept and ratify the Consent Judgment in this matter. Commissioner Guidry seconded this motion and it was unanimously approved.

IN RE:

B-2010-005

Simmons Bad Boy Buggies, LLC
918 North Washington Street
Bastrop, Louisiana 71220

Alleged violations of LSA-R.S.32:1258A.(2)

CONSENT JUDGMENT

After considering the entire record in this matter and the interest of the parties in amicably resolving it, the parties have consented to a judgment in favor of the Louisiana Motor Vehicle Commission based upon an alleged violation by Simmons Bad Boy Buggies, LLC of LSA-R.S.32:1258A.(2). Therefore, based on the parties' mutual consent;

IT IS ORDERED, ADJUDGED, AND DECREED that Simmons Bad Boy Buggies, LLC, 918 North Washington Street, Bastrop, Louisiana 71220, in complete satisfaction of all above-referenced violations, pay a fine to the Louisiana Motor Vehicle Commission in the amount of FIVE THOUSAND (\$5,000.00) DOLLARS.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Bad Boy Buggies, LLC, 918 North Washington Street, Bastrop, Louisiana 71220, be placed on ONE (1) YEAR probation beginning the date this Consent Judgment is rendered and signed and adhering to all Rules and Regulations of this Commission and Louisiana laws applicable to this Commission during the probationary period.

JUDGMENT RENDERED AND SIGNED this 8th day of March, 2010.

Chairman Raymond J. Brandt
LOUISIANA MOTOR VEHICLE COMMISSION

AGREED:

SIMMONS BAD BOY BUGGIES, LLC

By: _____

LOUISIANA MOTOR VEHICLE COMMISSION

By: _____
Gregory F. Reggie, Esq.

The Executive Director advised the Commission Members a pre-hearing had been on February 8, 2010, pursuant to LSA-R.S. 49:961C, regarding B-2009-061, Johnny Pag Motorcycles, 1851 McGaw Avenue, Irvine, California 92614, for alleged violations of LSA-R.S. 32:1254. C. (12) and D. (7); LSA-R.S. 32:1261.(1)(h); and LSA-R.S. Title 46. Part V. Subpart 1. Chapter 1. §101.C. License Required. In attendance representing Johnny Pag Motorcycles were: Kevin Smith, Operation Manager; representing the Commission were: Chairman Raymond J. Brandt; Counselor Gregory F. Reggie; Commission Investigator, Joel Aguillard; Assistant Executive Director, Ingya Cattle; and the Executive Director. The Executive Director advised the Commission Members the following Consent Judgment had been recommended by Chairman Brandt and accepted by the representatives of Johnny Pag Motorcycles, if accepted and ratified by the Commission. Commissioner Hocevar made a motion to accept and ratify the Consent Judgment in this matter. Commissioner LeBlanc seconded this motion and it was unanimously approved.

IN RE:

B-2009-061

Johnny Pag Motorcycles
1851 McGaw Avenue
Irvine, California 92614

Alleged violations of LSA-R.S. 32:1254.C.(12) and D.(7); LSA-R.S. 32:1261.(1)(h); and LSA-R.S. Title 46. Part V. Subpart 1. Chapter 1. §101.C. License Required

CONSENT JUDGMENT

After considering the entire record in this matter and the interest of the parties in amicably resolving it, the parties have consented to a judgment in favor of the Louisiana Motor Vehicle Commission based upon an alleged violation by Johnny Pag Motorcycles of LSA-R.S. 32:1254. C. (12) and D. (7); LSA-R.S. 32:1261.(1)(h); and LSA-R.S. Title 46. Part V. Subpart 1. Chapter 1. §101.C. License Required.

IT IS ORDERED, ADJUDGED, AND DECREED that Johnny Pag Motorcycles, 1851 McGaw Avenue, Irvine, California 92614, in complete satisfaction of all above-referenced violations, pay a fine to the Louisiana Motor Vehicle Commission in the amount of FIVE THOUSAND (\$5,000.00) DOLLARS.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that TWENTY-FIVE HUNDRED (\$2,500.00) DOLLARS of the fine be suspended conditioned upon Johnny Pag Motorcycles, 1851 McGaw Avenue, Irvine, California 92614, being placed on ONE (1) YEAR probation beginning the date this Consent Judgment is rendered and signed and adhering to all Rules and Regulations of this Commission and Louisiana laws applicable to this Commission during the probationary period. In the event of a violation during the probationary period, the suspended portion of the fine shall become due and payable in full.

JUDGMENT RENDERED AND SIGNED this 8th day of March, 2010.

Chairman Raymond J. Brandt
LOUISIANA MOTOR VEHICLE COMMISSION

AGREED:
JOHNNY PAG MOTORCYCLES

By: _____

LOUISIANA MOTOR VEHICLE COMMISSION

By: _____
Gregory F. Reggie, Esq.

With regard to old business, the Executive Director presented to the Commission Members the results of the survey of Manufacturers regarding:

- Does your company ship cars directly to rental companies, fleet accounts, school districts, municipalities, and/or government entities without involving the local franchise dealer?
- Does your company reimburse the rental companies, fleet accounts, school districts, municipalities, and/or governmental entities for prep?
- Does your company allow the rental companies, fleet accounts, school districts, municipalities and/or governmental entities to perform warranty work?
- If your company is paying the rental companies, fleet accounts, school districts, municipalities, and/or government entities for warranty work, is there any written requirement for facilities and/or tech training? (If yes, please submit copies with this sheet)
- If your company is paying rental companies, fleet accounts, school districts, municipalities, and/or government entities for warranty work, is CSI measured? (If yes, please submit a copy of the requirements)
- If the answer to 5 is yes, what was the total warranty monies paid to these entities in the calendar year 2009? Rental _____; Fleet _____; School _____; Municipality _____; Government _____
- Do rental companies fleet accounts, school districts, municipalities, and/or government entities pay the same for vehicles as you franchised dealers pay?

After a brief discussion, it was determined to defer discussion of this topic until all responses are received and until a meeting wherein Commissioner Duhon could be present as he initiated the original discussion of this topic which resulted in this survey.

The Executive Director reported to the Commission Members the following Sixty-Day Prior Notices had been received since the last report given at the Commission's meeting.

1/22/10 - MAZDA MOTOR OF AMERICA, INC. DBA MAZDA NORTH AMERICA OPERATIONS

RE: Highway 90 Morgan City Acquisitions, L.L.C. DBA Courtesy Mazda Morgan City, 1051 Victor II Boulevard, Morgan City, LA 70380.

Proposed establishment of a new motor vehicle dealer Highway 90 Morgan City Acquisitions, L.L.C. DBA Courtesy Mazda Morgan City, 1051 Victor II Boulevard, Morgan City, LA 70380.

Proposed dealer-operator is Don Hargroder

2/10/10 KIA MOTORS AMERICA, INC.

RE: J.P. Thibodeaux, Inc. DBA Kia of New Iberia, 509 West Admiral Doyle Drive, New Iberia, LA 70560.

- ▶ Proposed change in corporate ownership or majority ownership **from** Joe Bob Thibodeaux (84.92%), Jess Tourne (10.00%), and April V. Lagasse (5.08%) **to** Joe Bob Thibodeaux (54.60%), Jess Tourne, II (6.40%), and Robert E. Giles (39.00%).

2/16/2010 GULF STATES TOYOTA, INC.

RE: Harvey Operations-T, L.L.C. DBA Bohn Brothers Toyota, 3611 Lapalco Boulevard, Harvey, LA 70058.

- ▶ Proposed change in dealer-operator **from** John Hightower **to** Nicholas Hill.

2/16/2010 GULF STATES TOYOTA, INC.

RE: Houma Toyota, Inc. DBA Greg LeBlanc Toyota, 220 South Hollywood Road, Houma, LA 70360.

- ▶ Proposed change in the name of currently licensed dealer **from** Houma Toyota, Inc. DBA Greg LeBlanc Toyota **to** Houma Auto, LLC DBA Greg LeBlanc Toyota.
- ▶ Proposed change in dealer-operator **from** Ronald P. Weimer, Jr. **to** Geri L. LeBlanc.

2/16/2010 JOHNNY PAG MOTORCYCLES

RE: Mini Bike Plus, LLC, 1116 North Market, Shreveport, LA 71101.

- ▶ Proposed establishment of a new recreational product(s) dealer Mini Bike Plus, LLC, 1116 North Market, Shreveport, LA 71101.
- ▶ Proposed dealer-operator is John A. Tharp.
- ▶ Proposed corporate/majority ownership is John A. Tharp (100.00%).

12/6/09 ALUMACRAFT BOAT COMPANY

RE: Bayou Outboards, Inc., 3710 Robertson Street, Metairie, LA 70001.

- ▶ Proposed establishment of a new recreational products dealer Bayou Outboards, Inc., 3710 Robertson Street, Metairie, LA 70001, to replace Metro Boating, 3028 Fourth Street, Harvey, LA 70058.
- ▶ Proposed dealer-operator is Earl Spencer.
- ▶ Proposed corporate/majority ownership is Earl Spencer (50.00%) and Gay Spencer (50.00%).

2/25/10 GENERAL MOTORS LLC

RE: Add new models to Chevrolet, Buick, and Buick-GMC Dealer Sales and Service Agreements.

- ▶ Chevrolet: Cruz
- ▶ Chevrolet: Volt
- ▶ Buick: Regal
- ▶ Buick-GMC: Regal

Chairman Brandt called for a reading of the minutes of the January 11, 2010 meeting. Commissioner Hocevar made a motion to accept the minutes as read. Commissioner Guidry seconded this motion and it was unanimously approved.

Chairman Brandt asked for a review of the January and February Financial Statements of the Louisiana Motor Vehicle Commission, Motor Vehicle Sales Finance Division, copies of which was before each Commission Member. Commissioner Hocevar made a motion to accept the January and February Financial Statements as presented and incorporate into these minutes. This motion was seconded by Commissioner Guidry and it was unanimously approved.

The Chairman called for a review of the manufacturer license issued.

<u>MANUFACTURER</u>	<u>CITY</u>	<u>LIC. #</u>	<u>MAKE</u>
Thomas Built Buses, Inc.	High Point, North Carolina	#MN-2010-00116	Thomas Built Buses, Thomas Built Bus Bodies

The Executive Director reported the application and supporting documentation were in order for this manufacturer applicant. Commissioner LeBlanc made a motion to ratify the manufacturer license issued, #MN-2010-00116. Commissioner Guidry seconded this motion and it was unanimously approved.

The Chairman called for a review of the licenses issued to convertor or secondary manufacturer.

<u>CONVERTOR</u>	<u>CITY</u>	<u>LIC. #</u>	<u>MAKE</u>
Thomas Built Buses, Inc.	High Point, North Carolina	#CV-2010-00144	Thomas Built Bus Bodies

The Executive Director reported the application and supporting documentation were in order for this convertor or secondary manufacturer applicant. Commissioner Ryan made a motion to ratify the convertor or secondary manufacturer license issued, #CV-2010-00144. Commissioner Hargroder seconded this motion and it was unanimously approved.

<u>CONVERTOR</u>	<u>CITY</u>	<u>LIC. #</u>	<u>MAKE</u>
Bridgers Coaches, Inc. DBA Taylor Made Ambulances	Newport, Arkansas	#CV-2010-00146	Taylor Made Ambulances

The Executive Director reported the application and supporting documentation were in order for this convertor or secondary manufacturer applicant. Commissioner Guidry made a motion to ratify the convertor or secondary manufacturer license issued, #CV-2010-00146. Commissioner Fabre seconded this motion and it was unanimously approved.

The Chairman called for a review of the new motor vehicle dealer licenses issued.

<u>DEALER</u>	<u>CITY</u>	<u>LIC. #</u>	<u>CAR</u>
Sellers Automotive, L.L.C. DBA Ralph Sellers Hyundai	Gonzales, Louisiana	#N-2009-00467	Hyundai

The Executive Director reported this was an establishment of a Hyundai dealership Sellers Automotive, L.L.C. DBA Ralph Sellers Hyundai, 14215 North Airline Highway, Gonzales, Louisiana. The Executive Director added all documents were in order. Commissioner Fabre made a motion to ratify the new motor vehicle dealer license issued, #N-2009-00467. Commissioner LeBlanc seconded this motion and it was unanimously approved.

<u>DEALER</u>	<u>CITY</u>	<u>LIC. #</u>	<u>CAR</u>
Highway 90 Morgan City Acquisitions, L.L.C. DBA Courtesy Mazda Morgan City	Morgan City, Louisiana	#N-2009-00468	Mazda

The Executive Director reported this was an establishment of a Mazda dealership Highway 90 Morgan City Acquisitions, L.L.C. DBA Courtesy Mazda Morgan City, 1051 Victor II Boulevard, Morgan City, Louisiana. The Executive Director added all documents were in order. Commissioner Guidry made a motion to ratify the new motor vehicle dealer license issued, #N-2009-00468. Commissioner Ryan seconded this motion and it was unanimously approved. Commissioner Hargroder abstained from participation in the discussion and vote of this motor vehicle lessor applicant.

<u>DEALER</u>	<u>CITY</u>	<u>LIC. #</u>	<u>CAR</u>
BIJ LA, LLC DBA Mercedes-Benz of Baton Rouge	Baton Rouge, Louisiana	#N-2009-00469	Mercedes-Benz (light duty truck, passenger cars), Mercedes-Benz Sprinter

The Executive Director reported this was an addition of Mercedes-Benz Sprinter (commercial vehicles-Sprinter) to existing dealership BIJ LA, LLC DBA Mercedes-Benz of Baton Rouge, 10949 Airline Highway, Baton Rouge, Louisiana. The Executive Director added all documents were in order. Commissioner Fabre made a motion to ratify the new motor vehicle dealer license issued, #N-2009-00469. Commissioner LeBlanc seconded this motion and it was unanimously approved.

<u>DEALER</u>	<u>CITY</u>	<u>LIC. #</u>	<u>CAR</u>
Hixson Autoplex of Leesville, L.L.C. DBA Hixson Autoplex of Leesville DBA Hixson Autoplex DBA Hixson Toyota	Leesville, Louisiana	#N-2009-00470	Ford (light duty trucks, medium duty trucks, passenger cars), Toyota

The Executive Director reported this was an establishment of a new Ford Lincoln Mercury and Toyota Dealership in the name of Hixson Autoplex of Leesville, L.L.C. DBA Hixson Autoplex of Leesville, Hixson Autoplex, Hixson Toyota, 11981 Lake Charles Highway, Leesville, Louisiana, to replace Leesville Motors, Inc. DBA Leesville Ford Lincoln Mercury, Leesville Toyota, 11981 Lake Charles Highway, Leesville, Louisiana. The Executive Director added all documents were in order. Commissioner Westbrook made a motion to ratify the new motor vehicle dealer license issued, #N-2009-00470. Commissioner Ryan seconded this motion and it was unanimously approved.

<u>DEALER</u>	<u>CITY</u>	<u>LIC. #</u>	<u>CAR</u>
Petersen Automotive Interests, Inc. DBA Team Honda	Baton Rouge, Louisiana	#N-2009-00471	Honda

The Executive Director reported this was a change in corporate ownership or majority ownership from Jon Qvistgaard-Petersen, President (75.00%) and Kenneth Stephen Philibert, Vice-President (25.00%), to Jon Qvistgaard-Petersen, President (100.00%). The Executive Director added all documents were in order. Commissioner Fabre made a motion to ratify the new motor vehicle dealer license issued, #N-2009-00471. Commissioner LeBlanc seconded this motion and it was unanimously approved.

<u>DEALER</u>	<u>CITY</u>	<u>LIC. #</u>	<u>CAR</u>
Harvey GM, LLC DBA Don Bohn Buick-Pontiac-GMC	Harvey, Louisiana	#N-2009-00472	Buick (light duty trucks, passenger cars), GMC (light duty trucks), Pontiac (light duty trucks, passenger cars)

The Executive Director reported this was a change in the name of the designated dealer-operator from Richard T. Zibilich to David W. Hult. The Executive Director added all documents were in order. Commissioner LeBlanc made a motion to ratify the new motor vehicle dealer license issued, #N-2009-00472. Commissioner Hargroder seconded this motion and it was unanimously approved.

The Chairman called for a review of the motor vehicle lessor licenses issued.

<u>LESSOR</u>	<u>CITY</u>	<u>LIC. #</u>
Budget Rent A Car System, Inc.	Houma, Louisiana	#L-2006-01069

The Executive Director reported the application and supporting documents were in order for this motor vehicle lessor applicant. Commissioner Hocesvar made a motion to ratify the motor vehicle lessor license issued, #L-2006-01069. Commissioner Guidry seconded this motion and it was unanimously approved.

<u>LESSOR</u>	<u>CITY</u>	<u>LIC. #</u>
Budget Truck Rental, LLC DBA Budget Truck Rental	Shreveport, Louisiana	#L-2006-01070

The Executive Director reported the application and supporting documents were in order for this motor vehicle lessor applicant. Commissioner Hocevar made a motion to ratify the motor vehicle lessor license issued, #L-2006-01070. Commissioner Ryan seconded this motion and it was unanimously approved.

<u>LESSOR</u>	<u>CITY</u>	<u>LIC. #</u>
Budget Truck Rental, LLC DBA Budget Truck Rental	New Iberia, Louisiana	#L-2006-01071

The Executive Director reported the application and supporting documents were in order for this motor vehicle lessor applicant. Commissioner Hocevar made a motion to ratify the motor vehicle lessor license issued, #L-2006-01071. Commissioner Guidry seconded this motion and it was unanimously approved.

<u>LESSOR</u>	<u>CITY</u>	<u>LIC. #</u>
Budget Truck Rental, LLC DBA Budget Truck Rental	Baton Rouge, Louisiana	#L-2006-01073

The Executive Director reported the application and supporting documents were in order for this motor vehicle lessor applicant. Commissioner Hocevar made a motion to ratify the motor vehicle lessor license issued, #L-2006-01073. Commissioner Fabre seconded this motion and it was unanimously approved.

<u>LESSOR</u>	<u>CITY</u>	<u>LIC. #</u>
U-Haul Co. of Louisiana	Baker, Louisiana	#L-2007-01082

The Executive Director reported the application and supporting documents were in order for this motor vehicle lessor applicant. Commissioner Hocevar made a motion to ratify the motor vehicle lessor license issued, #L-2007-01082. Commissioner Fabre seconded this motion and it was unanimously approved.

<u>LESSOR</u>	<u>CITY</u>	<u>LIC. #</u>
Budget Truck Rental, LLC DBA Budget Truck Rental	Eunice, Louisiana	#L-2007-01084

The Executive Director reported the application and supporting documents were in order for this motor vehicle lessor applicant. Commissioner Hocevar made a motion to ratify the motor vehicle lessor license issued, #L-2007-01084. Commissioner Guidry seconded this motion and it was unanimously approved.

<u>LESSOR</u>	<u>CITY</u>	<u>LIC. #</u>
Budget Truck Rental, LLC DBA Budget Truck Rental	Baton Rouge, Louisiana	#L-2007-01085

The Executive Director reported the application and supporting documents were in order for this motor vehicle lessor applicant. Commissioner Hocevar made a motion to ratify the motor vehicle lessor license issued, #L-2007-01085. Commissioner Fabre seconded this motion and it was unanimously approved.

<u>LESSOR</u>	<u>CITY</u>	<u>LIC. #</u>
Budget Truck Rental, LLC DBA Budget Truck Rental	Pineville, Louisiana	#L-2007-01090

The Executive Director reported the application and supporting documents were in order for this motor vehicle lessor applicant. Commissioner Hocevar made a motion to ratify the motor vehicle lessor license issued, #L-2007-01090. Commissioner Westbrook seconded this motion and it was unanimously approved.

<u>LESSOR</u>	<u>CITY</u>	<u>LIC. #</u>
B & L Transportation, Inc.	Larose, Louisiana	#L-2008-01078

The Executive Director reported the application and supporting documents were in order for this motor vehicle lessor applicant. Commissioner Hocevar made a motion to ratify the motor vehicle lessor license issued, #L-2008-01078. Commissioner Guidry seconded this motion and it was unanimously approved.

<u>LESSOR</u>	<u>CITY</u>	<u>LIC. #</u>
U-Haul Co. of Louisiana	Denham Springs, Louisiana	#L-2008-01081

The Executive Director reported the application and supporting documents were in order for this motor vehicle lessor applicant. Commissioner Hocevar made a motion to ratify the motor vehicle lessor license issued, #L-2008-01081. Commissioner Fabre y seconded this motion and it was unanimously approved.

<u>LESSOR</u>	<u>CITY</u>	<u>LIC. #</u>
U-Haul Co. of Louisiana	Denham Springs, Louisiana	#L-2008-01082

The Executive Director reported the application and supporting documents were in order for this motor vehicle lessor applicant. Commissioner Hocevar made a motion to ratify the motor vehicle lessor license issued, #L-2008-01082. Commissioner Fabre seconded this motion and it was unanimously approved.

<u>LESSOR</u>	<u>CITY</u>	<u>LIC. #</u>
First Student, Inc.	Houma, Louisiana	#L-2008-01083

The Executive Director reported the application and supporting documents were in order for this motor vehicle lessor applicant. Commissioner Hocevar made a motion to ratify the motor vehicle lessor license issued, #L-2008-01083. Commissioner Guidry seconded this motion and it was unanimously approved.

<u>LESSOR</u>	<u>CITY</u>	<u>LIC. #</u>
First Student, Inc.	Lutcher, Louisiana	#L-2008-01085

The Executive Director reported the application and supporting documents were in order for this motor vehicle lessor applicant. Commissioner Hocevar made a motion to ratify the motor vehicle lessor license issued, #L-2008-01085. Commissioner LeBlanc seconded this motion and it was unanimously approved.

<u>LESSOR</u>	<u>CITY</u>	<u>LIC. #</u>
Budget Truck Rental, LLC DBA Budget Truck Rental	Alexandria, Louisiana	#L-2008-01091

The Executive Director reported the application and supporting documents were in order for this motor vehicle lessor applicant. Commissioner Hocevar made a motion to ratify the motor vehicle lessor license issued, #L-2008-01091. Commissioner Westbrook seconded this motion and it was unanimously approved.

<u>LESSOR</u>	<u>CITY</u>	<u>LIC. #</u>
Budget Truck Rental, LLC DBA Budget Truck Rental	Metairie, Louisiana	#L-2008-01093

The Executive Director reported the application and supporting documents were in order for this motor vehicle lessor applicant. Commissioner Hocevar made a motion to ratify the motor vehicle lessor license issued, #L-2008-01093. Commissioner LeBlanc seconded this motion and it was unanimously approved.

<u>LESSOR</u>	<u>CITY</u>	<u>LIC. #</u>
Budget Truck Rental, LLC DBA Budget Truck Rental	Bossier City, Louisiana	#L-2008-01095

The Executive Director reported the application and supporting documents were in order for this motor vehicle lessor applicant. Commissioner Hocevar made a motion to ratify the motor vehicle lessor license issued, #L-2008-01095. Commissioner Ryan seconded this motion and it was unanimously approved.

<u>LESSOR</u>	<u>CITY</u>	<u>LIC. #</u>
Budget Truck Rental, LLC DBA Budget Truck Rental	Houma, Louisiana	#L-2008-01098

The Executive Director reported the application and supporting documents were in order for this motor vehicle lessor applicant. Commissioner Hocevar made a motion to ratify the motor vehicle lessor license issued, #L-2008-01098. Commissioner Guidry seconded this motion and it was unanimously approved.

<u>LESSOR</u>	<u>CITY</u>	<u>LIC. #</u>
DTG Operations, Inc. DBA Dollar Rent A Car	Kenner, Louisiana	#L-2008-01101

The Executive Director reported the application and supporting documents were in order for this motor vehicle lessor applicant. Commissioner Hocevar made a motion to ratify the motor vehicle lessor license issued, #L-2008-01101. Commissioner LeBlanc seconded this motion and it was unanimously approved.

<u>LESSOR</u>	<u>CITY</u>	<u>LIC. #</u>
The Hertz Corporation DBA Hertz Local Edition	New Orleans, Louisiana	#L-2009-00962

The Executive Director reported the application and supporting documents were in order for this motor vehicle lessor applicant. Commissioner Hocevar made a motion to ratify the motor vehicle lessor license issued, #L-2009-00962. Commissioner LeBlanc seconded this motion and it was unanimously approved.

<u>LESSOR</u>	<u>CITY</u>	<u>LIC. #</u>
The Hertz Corporation DBA Hertz Local Edition	Harvey, Louisiana	#L-2009-00963

The Executive Director reported the application and supporting documents were in order for this motor vehicle lessor applicant. Commissioner Hocevar made a motion to ratify the motor vehicle lessor license issued, #L-2009-00963. Commissioner LeBlanc seconded this motion and it was unanimously approved.

<u>LESSOR</u>	<u>CITY</u>	<u>LIC. #</u>
U-Haul Co. of Louisiana	Olla, Louisiana	#L-2009-00971

The Executive Director reported the application and supporting documents were in order for this motor vehicle lessor applicant. Commissioner Hocevar made a motion to ratify the motor vehicle lessor license issued, #L-2009-00971. Commissioner Westbrook seconded this motion and it was unanimously approved.

<u>LESSOR</u>	<u>CITY</u>	<u>LIC. #</u>
U-Haul Co. of Louisiana	Harahan, Louisiana	#L-2009-00972

The Executive Director reported the application and supporting documents were in order for this motor vehicle lessor applicant. Commissioner Hocevar made a motion to ratify the motor vehicle lessor license issued, #L-2009-00972. Commissioner LeBlanc seconded this motion and it was unanimously approved.

<u>LESSOR</u>	<u>CITY</u>	<u>LIC. #</u>
U-Haul Co. of Louisiana	Slidell, Louisiana	#L-2009-00973

The Executive Director reported the application and supporting documents were in order for this motor vehicle lessor applicant. Commissioner Hocevar made a motion to ratify the motor vehicle lessor license issued, #L-2009-00973. Commissioner LeBlanc seconded this motion and it was unanimously approved.

<u>LESSOR</u>	<u>CITY</u>	<u>LIC. #</u>
U-Haul Co. of Louisiana	Scott, Louisiana	#L-2009-00974

The Executive Director reported the application and supporting documents were in order for this motor vehicle lessor applicant. Commissioner Hocevar made a motion to ratify the motor vehicle lessor license issued, #L-2009-00974. Commissioner Guidry seconded this motion and it was unanimously approved.

<u>LESSOR</u>	<u>CITY</u>	<u>LIC. #</u>
U-Haul Co. of Louisiana	Payville, Louisiana	#L-2009-00975

The Executive Director reported the application and supporting documents were in order for this motor vehicle lessor applicant. Commissioner Hocevar made a motion to ratify the motor vehicle lessor license issued, #L-2009-00975. Commissioner Ryan seconded this motion and it was unanimously approved.

<u>LESSOR</u>	<u>CITY</u>	<u>LIC. #</u>
EAN Holdings, LLC DBA Enterprise Rent-A-Car	Broussard, Louisiana	#L-2009-00976

The Executive Director reported the application and supporting documents were in order for this motor vehicle lessor applicant. Commissioner Guidry made a motion to ratify the motor vehicle lessor license issued, #L-2009-00976. Commissioner Hargroder seconded this motion and it was unanimously approved. Commissioner Hocevar abstained from participation in the discussion and vote of this motor vehicle lessor applicant.

<u>LESSOR</u>	<u>CITY</u>	<u>LIC. #</u>
Anmar Services, Inc. DBA Miller's RV Center	Baton Rouge, Louisiana	#L-2009-00978

The Executive Director reported the application and supporting documents were in order for this motor vehicle lessor applicant. Commissioner Hocevar made a motion to ratify the motor vehicle lessor license issued, #L-2009-00978. Commissioner Fabre seconded this motion and it was unanimously approved.

<u>LESSOR</u>	<u>CITY</u>	<u>LIC. #</u>
U-Haul Co. of Louisiana	Grand Isle, Louisiana	#L-2009-00982

The Executive Director reported the application and supporting documents were in order for this motor vehicle lessor applicant. Commissioner Hocevar made a motion to ratify the motor vehicle lessor license issued, #L-2009-00982. Commissioner LeBlanc seconded this motion and it was unanimously approved.

<u>LESSOR</u>	<u>CITY</u>	<u>LIC. #</u>
U-Haul Co. of Louisiana	Belle Chasse, Louisiana	#L-2009-00983

The Executive Director reported the application and supporting documents were in order for this motor vehicle lessor applicant. Commissioner Hocevar made a motion to ratify the motor vehicle lessor license issued, #L-2009-00983. Commissioner LeBlanc seconded this motion and it was unanimously approved.

<u>LESSOR</u>	<u>CITY</u>	<u>LIC. #</u>
U-Haul Co. of Louisiana	Jonesville, Louisiana	#L-2009-00984

The Executive Director reported the application and supporting documents were in order for this motor vehicle lessor applicant. Commissioner Hocevar made a motion to ratify the motor vehicle lessor license issued, #L-2009-00984. Commissioner Westbrook seconded this motion and it was unanimously approved.

<u>LESSOR</u>	<u>CITY</u>	<u>LIC. #</u>
JG Auto Sales, Inc.	Bossier City, Louisiana	#L-2009-00985

The Executive Director reported the application and supporting documents were in order for this motor vehicle lessor applicant. Commissioner Hocevar made a motion to ratify the motor vehicle lessor license issued, #L-2009-00985. Commissioner Westbrook seconded this motion and it was unanimously approved.

<u>LESSOR</u>	<u>CITY</u>	<u>LIC. #</u>
U-Haul Co. of Louisiana	Kinder, Louisiana	#L-2009-00986

The Executive Director reported the application and supporting documents were in order for this motor vehicle lessor applicant. Commissioner Hocevar made a motion to ratify the motor vehicle lessor license issued, #L-2009-00986. Commissioner Hargroder seconded this motion and it was unanimously approved.

<u>LESSOR</u>	<u>CITY</u>	<u>LIC. #</u>
U-Haul Co. of Louisiana	Donaldsonville, Louisiana	#L-2009-00987

The Executive Director reported the application and supporting documents were in order for this motor vehicle lessor applicant. Commissioner Hocevar made a motion to ratify the motor vehicle lessor license issued, #L-2009-00987. Commissioner Guidry seconded this motion and it was unanimously approved.

<u>LESSOR</u>	<u>CITY</u>	<u>LIC. #</u>
EAN Holdings, LLC DBA Enterprise Rent-A-Car	Shreveport, Louisiana	#L-2009-00989

The Executive Director reported the application and supporting documents were in order for this motor vehicle lessor applicant. Commissioner LeBlanc made a motion to ratify the motor vehicle lessor license issued, #L-2009-00989. Commissioner Ryan seconded this motion and it was unanimously approved. Commissioner Hocevar abstained from participation in the discussion and vote of this motor vehicle lessor applicant.

<u>LESSOR</u>	<u>CITY</u>	<u>LIC. #</u>
Budget Truck Rental, LLC DBA Budget Truck Rental	Baton Rouge, Louisiana	#L-2009-00997

The Executive Director reported the application and supporting documents were in order for this motor vehicle lessor applicant. Commissioner Hocevar made a motion to ratify the motor vehicle lessor license issued, #L-2009-00997. Commissioner Fabre seconded this motion and it was unanimously approved.

<u>LESSOR</u>	<u>CITY</u>	<u>LIC. #</u>
Budget Truck Rental, LLC DBA Budget Truck Rental	New Orleans, Louisiana	#L-2009-00998

The Executive Director reported the application and supporting documents were in order for this motor vehicle lessor applicant. Commissioner Hocevar made a motion to ratify the motor vehicle lessor license issued, #L-2009-00998. Commissioner LeBlanc seconded this motion and it was unanimously approved.

<u>LESSOR</u>	<u>CITY</u>	<u>LIC. #</u>
Buck Enterprises, Inc. - Brown Leasing - Dollar Thrifty Car Rental	Shreveport, Louisiana	#L-2009-01011

The Executive Director reported the application and supporting documents were in order for this motor vehicle lessor applicant. Commissioner Hocevar made a motion to ratify the motor vehicle lessor license issued, #L-2009-01011. Commissioner Westbrook seconded this motion and it was unanimously approved.

<u>LESSOR</u>	<u>CITY</u>	<u>LIC. #</u>
Vacuum Truck Rentals, LLC	Geismar, Louisiana	#L-2009-01012

The Executive Director reported the application and supporting documents were in order for this motor vehicle lessor applicant. Commissioner Hocevar made a motion to ratify the motor vehicle lessor license issued, #L-2009-01012. Commissioner Fabre seconded this motion and it was unanimously approved.

<u>LESSOR</u>	<u>CITY</u>	<u>LIC. #</u>
EAN Holdings, LLC DBA Enterprise Rent-A-Car	Bossier City, Louisiana	#L-2009-01013

The Executive Director reported the application and supporting documents were in order for this motor vehicle lessor applicant. Commissioner Guidry made a motion to ratify the motor vehicle lessor license issued, #L-2009-01013. Commissioner Ryan seconded this motion and it was unanimously approved. Commissioner Hocevar abstained from participation in the discussion and vote of this motor vehicle lessor applicant.

<u>LESSOR</u>	<u>CITY</u>	<u>LIC. #</u>
GE TF Trust	Irving, Texas	#L-2010-00234

The Executive Director reported the application and supporting documents were in order for this motor vehicle lessor applicant. Commissioner Hocevar made a motion to ratify the motor vehicle lessor license issued, #L-2010-00234. Commissioner Guidry seconded this motion and it was unanimously approved.

The Chairman called for a review of the motor vehicle lessor used motor vehicle facility licenses issued.

<u>LESSOR USED CAR FACILITY</u>	<u>CITY</u>	<u>LIC. #</u>
U-Haul Co. of Louisiana DBA U-Haul Center New Orleans	New Orleans, Louisiana	#LU-2007-00174

The Executive Director reported the application and supporting documentation were in order for this motor vehicle lessor used motor vehicle facility applicant. Commissioner Hocevar made a motion to ratify the motor vehicle lessor used motor vehicle facility license issued, #LU-2007-00174. Commissioner LeBlanc seconded this motion and it was unanimously approved.

<u>LESSOR USED CAR FACILITY</u>	<u>CITY</u>	<u>LIC. #</u>
JG Auto Sales, Inc.	Bossier City, Louisiana	#LU-2009-00172

The Executive Director reported the application and supporting documentation were in order for this motor vehicle lessor used motor vehicle facility applicant. Commissioner Hocevar made a motion to ratify the motor vehicle lessor used motor vehicle facility license issued, #LU-2009-00172. Commissioner Ryan seconded this motion and it was unanimously approved.

The Chairman called for a review of the recreational product manufacturer licenses issued.

<u>RP MANUFACTURER</u>	<u>CITY</u>	<u>LIC. #</u>	<u>MAKE</u>
Southland Trailers, Inc.	Gray, Louisiana	#RM-2009-00116	Southland Trailers

The Executive Director reported the application and supporting documentation were in order for this recreational product manufacturer applicant. Commissioner Westbrook r made a motion to ratify the recreational product manufacturer license issued, #RM-2009-00116. Commissioner LeBlanc seconded this motion and it was unanimously approved.

<u>RP MANUFACTURER</u>	<u>CITY</u>	<u>LIC. #</u>	<u>MAKE</u>
Open Range RV Company	Shipshweana, Indiana	#RM-2009-00117	Open Range Travel Trailers

The Executive Director reported the application and supporting documentation were in order for this recreational product manufacturer applicant. Commissioner Westbrook made a motion to ratify the recreational product manufacturer license issued, #RM-2009-00117. Commissioner Fabre seconded this motion and it was unanimously approved.

<u>RP MANUFACTURER</u>	<u>CITY</u>	<u>LIC. #</u>	<u>MAKE</u>
Go-Devil Manufacturers of Louisiana, Inc.	Baton Rouge, Louisiana	#RM-2010-00105	Go-Devil Motors, Go-Devil Boats

The Executive Director reported the application and supporting documentation were in order for this recreational product manufacturer applicant. Commissioner Westbrook made a motion to ratify the recreational product manufacturer license issued, #RM-2010-00105. Commissioner Fabre seconded this motion and it was unanimously approved.

<u>RP MANUFACTURER</u>	<u>CITY</u>	<u>LIC. #</u>	<u>MAKE</u>
McClain Trailers Inc. DBA Mike Gerald's Trailer Depot	Baton Rouge, Louisiana	#RM-2010-00106	McClain Utility Trailers

The Executive Director reported the application and supporting documentation were in order for this recreational product manufacturer applicant. Commissioner Westbrook made a motion to ratify the recreational product manufacturer license issued, #RM-2010-00106. Commissioner Fabre seconded this motion and it was unanimously approved.

<u>RP MANUFACTURER</u>	<u>CITY</u>	<u>LIC. #</u>	<u>MAKE</u>
Triton Industries, Inc.	Lansing, Michigan	#RM-2010-00116	Manitou Pontoon Boats

The Executive Director reported the application and supporting documentation were in order for this recreational product manufacturer applicant. Commissioner Westbrook r made a motion to ratify the recreational product manufacturer license issued, #RM-2010-00116. Commissioner Ryan seconded this motion and it was unanimously approved.

<u>RP MANUFACTURER</u>	<u>CITY</u>	<u>LIC. #</u>	<u>MAKE</u>
Bison Coach LLC	Milford, Indiana	#RM-2010-00121	Bison Coach Travel Trailers

The Executive Director reported the application and supporting documentation were in order for this recreational product manufacturer applicant. Commissioner Westbrook r made a motion to ratify the recreational product manufacturer license issued, #RM-2010-00121. Commissioner Hargroder seconded this motion and it was unanimously approved.

<u>RP MANUFACTURER</u>	<u>CITY</u>	<u>LIC. #</u>	<u>MAKE</u>
Forest River, Inc. DBA Viking Recreational Vehicle	Elkhart, Indiana	#RM-2010-00127	Viking Recreational Travel Trailers

The Executive Director reported the application and supporting documentation were in order for this recreational product manufacturer applicant. Commissioner Westbrook made a motion to ratify the recreational product manufacturer license issued, #RM-2010-00127. Commissioner LeBlanc seconded this motion and it was unanimously approved.

<u>RP MANUFACTURER</u>	<u>CITY</u>	<u>LIC. #</u>	<u>MAKE</u>
American SportWorks LLC	Roseland, Louisiana	#RM-2010-00133	American SportWork ATVs and UTVs

The Executive Director reported the application and supporting documentation were in order for this recreational product manufacturer applicant. Commissioner Westbrook made a motion to ratify the recreational product manufacturer license issued, #RM-2010-00133. Commissioner Ryan seconded this motion and it was unanimously approved.

<u>RP MANUFACTURER</u>	<u>CITY</u>	<u>LIC. #</u>	<u>MAKE</u>
Bright Coop Co., Inc. DBA Viking Trailers	Nacogdoches, Texas	#RM-2010-00134	Viking Trailers

The Executive Director reported the application and supporting documentation were in order for this recreational product manufacturer applicant. Commissioner Westbrook made a motion to ratify the recreational product manufacturer license issued, #RM-2010-00134. Commissioner Hargorder seconded this motion and it was unanimously approved.

<u>RP MANUFACTURER</u>	<u>CITY</u>	<u>LIC. #</u>	<u>MAKE</u>
RoadClipper Enterprises, Inc. DBA Diamond C Trailer Mfg.	Mt. Pleasant, Texas	#RM-2010-00138	Diamond C Utility Trailers

The Executive Director reported the application and supporting documentation were in order for this recreational product manufacturer applicant. Commissioner Westbrook made a motion to ratify the recreational product manufacturer license issued, #RM-2010-00138. Commissioner Guidry seconded this motion and it was unanimously approved.

<u>RP MANUFACTURER</u>	<u>CITY</u>	<u>LIC. #</u>	<u>MAKE</u>
All Steel Buildings Systems LLC	Baton Rouge, Louisiana	#RM-2010-00142	All Steel Trailers

The Executive Director reported the application and supporting documentation were in order for this recreational product manufacturer applicant. Commissioner Westbrook made a motion to ratify the recreational product manufacturer license issued, #RM-2010-00142. Commissioner Fabre seconded this motion and it was unanimously approved.

<u>RP MANUFACTURER</u>	<u>CITY</u>	<u>LIC. #</u>	<u>MAKE</u>
Fleetwood RV, Inc.	Decatur, Indiana	#RM-2010-00147	Fleetwood RVs

The Executive Director reported the application and supporting documentation were in order for this recreational product manufacturer applicant. Commissioner Westbrook made a motion to ratify the recreational product manufacturer license issued, #RM-2010-00147. Commissioner LeBlanc seconded this motion and it was unanimously approved.

The Chairman called for a review of the recreational product distributor branch licenses issued.

<u>RP DISTRIBUTOR BRANCH</u>	<u>CITY</u>	<u>LIC. #</u>
Kubota Tractor Corporation	Fort Worth, Texas	#RB-2010-00101

The Executive Director reported the application and supporting documentation were in order for this recreational product distributor branch applicant. Commissioner Westbrook made a motion to ratify the recreational product distributor branch license issued, #RD-2010-00101. Commissioner Guidry seconded this motion and it was unanimously approved.

<u>RP DISTRIBUTOR BRANCH</u>	<u>CITY</u>	<u>LIC. #</u>
Kawasaki Motors Corp., U.S.A.	Fort Worth, Texas	#RB-2010-00102

The Executive Director reported the application and supporting documentation were in order for this recreational product distributor branch applicant. Commissioner Westbrook made a motion to ratify the recreational product distributor branch license issued, #RD-2010-00102. Commissioner Hargroder seconded this motion and it was unanimously approved.

<u>RP DISTRIBUTOR BRANCH</u>	<u>CITY</u>	<u>LIC. #</u>
American Suzuki Motor Corporation	Marietta, Georgia	#RB-2010-00103

The Executive Director reported the application and supporting documentation were in order for this recreational product distributor branch applicant. Commissioner Westbrook made a motion to ratify the recreational product distributor branch license issued, #RD-2010-00103. Commissioner Ryan seconded this motion and it was unanimously approved.

The Chairman called for a review of the recreational product dealer licenses issued.

<u>RP DEALER</u>	<u>CITY</u>	<u>LIC. #</u>
Circle T Trailers, Inc.	Dubberly, Louisiana	#RP-2009-00111

The Executive Director reported this was an establishment of a new recreational products dealer, Circle T Trailers, Inc., 208 Middle Road, Dubberly, Louisiana. The sole owner and dealer-operator is James D. Towns. The Executive Director added all documents were in order. Commissioner Westbrook made a motion to ratify the recreational product dealer license issued, #RP-2009-00111. Commissioner Guidry seconded this motion and it was unanimously approved.

<u>RP DEALER</u>	<u>CITY</u>	<u>LIC. #</u>
Louisiana Machinery Co., LLC	Reserve, Louisiana	#RP-2009-00112

The Executive Director reported this was an establishment of a new recreational products dealer, Louisiana Machinery Co., LLC, 3799 West Airline Highway, Reserve, Louisiana. The Executive Director reported further, Louisiana Machinery Co., LLC LLC is owned by Clark G. Boyce, Jr., Chairman of the Board/Chief Executive Officer (42.75%), Rober M. Boyce, Secretary/Treasurer (42.75%), Robert D. Webb, Jr., President/Chief Operating Officer (14.50%). The Executive Director added James E. Miller is the designated dealer-operator and all documents were in order. Commissioner Westbrook made a motion to ratify the recreational product dealer license issued, #RP-2009-00112. Commissioner LeBlanc seconded this motion and it was unanimously approved.

<u>RP DEALER</u>	<u>CITY</u>	<u>LIC. #</u>
Tractor Supply Company #1399	Winnsboro, Louisiana	#RP-2010-00123

The Executive Director reported this was an establishment of a new recreational products dealer, Tractor Supply Company #1399, 3282 Front Street, Winnsboro, Louisiana. The Executive Director reported further, Tractor Supply Company is wholly owned by Tractor Supply Company a corporation chartered under the laws of the State of Delaware. The Executive Director added Gregory A. Sandfort, Anthony F. Crudele, and Kurt D. Barton are the designated dealer-operators and all documents were in order. Commissioner Westbrook made a motion to ratify the recreational product dealer license issued, #RP-2010-00123. Commissioner Ryan seconded this motion and it was unanimously approved.

<u>RP DEALER</u>	<u>CITY</u>	<u>LIC. #</u>
Charles Motor Service	Houma, Louisiana	#RP-2010-00181

The Executive Director reported this was an establishment of a new recreational products dealer, Charles Motor Service, 227 Enterprise Drive, Houma, Louisiana. The Executive Director reported further, Blair J. Portier is the sole owner and dealer-operator. The Executive Director added all documents were in order. Commissioner Westbrook made a motion to ratify the recreational product dealer license issued, #RP-2010-00181. Commissioner Guidry seconded this motion and it was unanimously approved.

<u>RP DEALER</u>	<u>CITY</u>	<u>LIC. #</u>
Acadiana Truck and Trailer Sales, LLC DBA Acadiana Mack Volvo	Breaux Bridge, Louisiana	#RP-2010-00186

The Executive Director reported this was an establishment of a new recreational products dealer, Acadiana Truck and Trailer Sales, LLC DBA Acadiana Mack Volvo, 1101 Doyle Melancon Extension, Breaux Bridge, Louisiana. The Executive Director reported further, Acadiana Truck and Trailer Sales, LLC DBA Acadiana Mack Volvo is owned by Maxim D. Doucet, President (40.00%), Michael T. Doucet, Member (31.00%), Paul Doucet, Dealer Operator (15.00%), George A. Cook, Secretary (7.00%), Philip LeBlanc, Member (7.00%). The Executive Director added Paul Doucet is the designated dealer-operator and all documents were in order. Commissioner Westbrook made a motion to ratify the recreational product dealer license issued, #RP-2010-00186. Commissioner Guidry seconded this motion and it was unanimously approved.

<u>RP DEALER</u>	<u>CITY</u>	<u>LIC. #</u>
Goldman Equipment, LLC	Ferriday, Louisiana	#RP-2010-00215

The Executive Director reported this was an establishment of a new recreational products dealer, Goldman Equipment, LLC, 503 Lake Drive, Ferriday, Louisiana. The Executive Director reported further, Goldman Equipment, LLC is owned by Goldman River Co., Inc. (95%) and Kenneth Vines, President & Owner (5%). The Executive Director added Kenneth Vines is the designated dealer-operator and all documents were in order. Commissioner Westbrook made a motion to ratify the recreational product dealer license issued, #RP-2010-00215. Commissioner Ryan seconded this motion and it was unanimously approved.

<u>RP DEALER</u>	<u>CITY</u>	<u>LIC. #</u>
Goldman Equipment, LLC.	Jonesville, Louisiana	#RP-2010-00222

The Executive Director reported this was an establishment of a new recreational products dealer, Goldman Equipment, LLC., 905 Mound Street, Jonesville, Louisiana. The Executive Director reported further, Goldman Equipment, LLC is owned by Goldman River Co., Inc. (95%) and Kenneth Vines, President & Owner (5%). The Executive Director added Kenneth Vines is the designated dealer-operator and all documents were in order. Commissioner Westbrook made a motion to ratify the recreational product dealer license issued, #RP-2010-00222. Commissioner Ryan seconded this motion and it was unanimously approved.

<u>RP DEALER</u>	<u>CITY</u>	<u>LIC. #</u>
LaRue's Outdoor Power Sports, L.L.C. DBA LaRue's Outdoor Power Sports	Bossier City, Louisiana	#RP-2010-00227

The Executive Director reported this was an establishment of a new recreational products dealer, LaRue's Outdoor Power Sports, L.L.C. DBA LaRue's Outdoor Power Sports, 1409 East Texas Street, Bossier City, Louisiana. The Executive Director reported further, LaRue's Outdoor Power Sports, L.L.C. is wholly-owned by Rudolph C. LaRue, Jr. The Executive Director added Rudolph C. LaRue, Jr. is the designated dealer-operator and all documents were in order. Commissioner Westbrook made a motion to ratify the recreational product dealer license issued, #RP-2010-00227. Commissioner Hargorder seconded this motion and it was unanimously approved.

<u>RP DEALER</u>	<u>CITY</u>	<u>LIC. #</u>
Bayou Outboards, Inc.	Metairie, Louisiana	#RP-2010-00230

The Executive Director reported this was an establishment of a new recreational products dealer, Bayou Outboards, Inc., 3710 Robertson Street, Metairie, Louisiana. The Executive Director reported further, Bayou Outboards, Inc. Is owned by Earl Spencer, President (50%) and Gay Spencer, Secretary-Treasurer (50%). The Executive Director added Earl Spencer is the designated dealer-operator and all documents were in order. Commissioner Westbrook made a motion to ratify the recreational product dealer license issued, #RP-2010-00230. Commissioner LeBlanc seconded this motion and it was unanimously approved.

<u>RP DEALER</u>	<u>CITY</u>	<u>LIC. #</u>
Berryland Motors, LLC DBA Berryland Campers Outlet	Holden, Louisiana	#RP-2010-00231

The Executive Director reported this was an establishment of a new recreational products dealer, Berryland Motors, LLC DBA Berryland Campers Outlet, 27030 James Chapel Road, Holden, Louisiana. The Executive Director reported further, Berryland Motors, LLC DBA Berryland Campers Outlet is wholly owned by Thomas M. Fulmer. The Executive Director added Thomas M. Fulmer and Bradley Poche are the designated dealer-operators and all

documents were in order. Commissioner Westbrook made a motion to ratify the recreational product dealer license issued, #RP-2010-00231. Commissioner Fabre seconded this motion and it was unanimously approved.

<u>RP DEALER</u>	<u>CITY</u>	<u>LIC. #</u>
Scott Williams, Inc. DBA Bass Motors	Shreveport, Louisiana	#RP-2010-00244

The Executive Director reported this was an addition of a manufacturers Carry-On Trailer Corporation, Diamond C Trailers, and King American, LLC new recreational products dealer, to Scott Williams, Inc. DBA Bass Motors, 9433 Mansfield Road, Shreveport, Louisiana. The Executive Director added all documents were in order. Commissioner Westbrook made a motion to ratify the recreational product dealer license issued, #RP-2010-00244. Commissioner Hargroder seconded this motion and it was unanimously approved.

<u>RP DEALER</u>	<u>CITY</u>	<u>LIC. #</u>
Bayou Outboards, Inc.	Metairie, Louisiana	#RP-2010-00245

The Executive Director reported this was an addition of a new franchise, Alumacraft Boat Co. to Bayou Outboards, Inc., 3710 Robertson Street, Metairie, Louisiana. The Executive Director added all documents were in order. Commissioner Westbrook made a motion to ratify the recreational product dealer license issued, #RP-2010-00245. Commissioner LeBlanc seconded this motion and it was unanimously approved.

<u>RP DEALER</u>	<u>CITY</u>	<u>LIC. #</u>
Elite Golf Carts, LLC	New Iberia, Louisiana	#RP-2010-00247

The Executive Director reported this was an establishment of a new recreational products dealer, Elite Golf Carts, LLC, 1603 Center Street, New Iberia, Louisiana. The Executive Director added Charles L. Oubre is the sole owner and the designated dealer-operator and all documents were in order. Commissioner Westbrook made a motion to ratify the recreational product dealer license issued, #RP-2010-00247. Commissioner Fabre seconded this motion and it was unanimously approved.

The Chairman called for a review of the recreational product dealer used facility license issued.

<u>RP USED DEALER</u>	<u>CITY</u>	<u>LIC. #</u>
Berryland Motors, LLC DBA Berryland Motors	Ponchatoula, Louisiana	#RU-2010-00100

The Executive Director reported this application and supporting documents were in order for recreational product dealer used facility applicant. Commissioner Westbrook made a motion to ratify the recreational product dealer used facility license issued, #RU-2010-00100. Commissioner LeBlanc seconded this motion and it was unanimously approved.

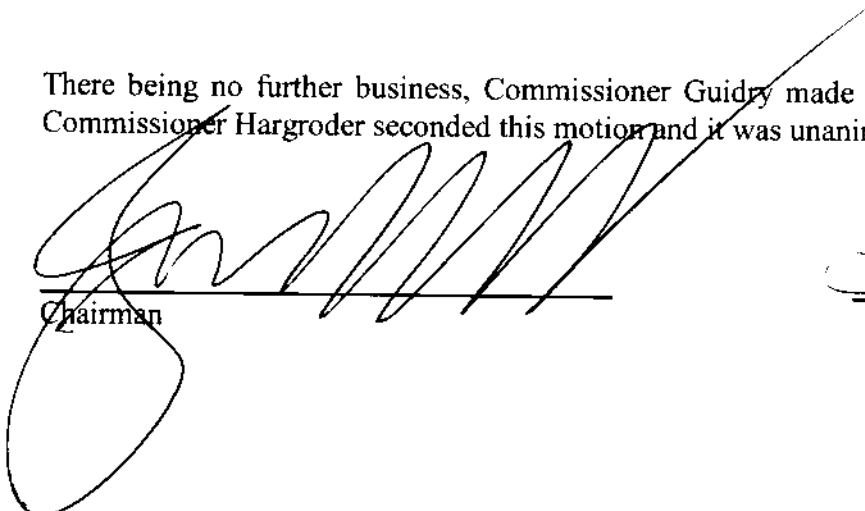
The Chairman called for a review of the licenses issued. Commissioner Ryan made a motion to ratify the licenses issued: manufacturers, #MN-2010-00110 through #MN-2010-00120; factory branches, #FB-2009-00109 and #FB-2010-00103 through #FB-2010-00104; factory representatives, #FR-2009-00121 and #FR-2010-00028 through #FR-2010-00048; distributors, #DS-2009-00134 and #DS-2010-00120 through #DS-2010-00127; distributor branches, #DB-2010-00111 through #DB-2010-00113; distributor representatives, #DR-2010-00188 through #DR-2010-00258; convertors, #CV-2009-00162 and #CV-2010-00142 through #CV-2010-00146; speciality vehicle dealers, #SV-2010-00113 through #SV-2010-00114; speciality vehicle salesmen, #SVS-2010-00023 through #SVS-2010-00037; vehicle protection products, #VPP-2010-100 through #VPP-2010-111; new motor vehicle dealers, #N-2009-00467 through #N-2009-00472; new motor vehicle dealer salesmen, #NS-2009-006360 through #NS-2009-06900; new motor vehicle dealer used motor vehicle facilities, #DU-2009-00161 through #DU-2009-00164; used motor vehicle facility salesmen, #DUS-2008-00552 through #DUS-2008-00553 and #DUS-2009-00444 through #DUS-2009-00500; motor vehicle lessor franchisors, #LF-2010-00101 through #LF-2010-00102; motor vehicle lessors, #L-2006-01069 though #L-2006-01073, #L-2007-01082 through #L-2007-01090, #L-2008-01078 through #L-2008-01103, #L-2009-00961 through #L-2009-01013, and #L-2010-00188 through #L-2010-00245; motor vehicle lessor

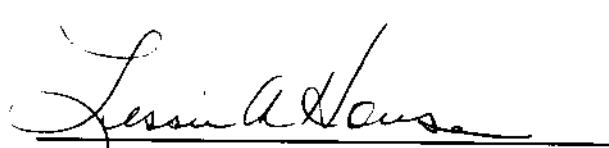


agents, #LA-2006-00479, #LA-2007-00467, #LA-2008-00464 through #LA-2008-00469, #LA-2009-00401 through #LA-2009-00418 (#LA-2009-00415 Voided), and #LA-2010-00091 through #LA-2010-00148; lessor used motor vehicle facilities, #LU-2007-00174, #LU-2008-00167 through #LU-2008-00168, and #LU-2009-00169 through #LU-2009-00174; lessor used motor vehicle facility salesmen, #LUS-2007-00183, #LUS-2008-00194 through #LUS-2008-00196, and #LUS-2009-00173 through #LUS-2009-00182; recreational product manufacturers, #RM-2009-00116 through #RM-2009-00117 and #RM-2010-00105 through #RM-2010-00147; recreational product factory representatives, #RFR-2009-00025 through #RFR-2009-00027 and #RFR-2010-00018 through #RFR-2010-00088; recreational product distributors, #RD-2010-00101 through #RD-2010-00113; recreational product distributor representatives, #RDR-2010-00001 through #RDR-2010-00025; recreational product distributor branches, #RB-2010-00101 through #RB-2010-00103 (#RB-2010-00100 Voided); recreational product dealers, #RP-2009-00111 through #RP-2009-00112 (#RP-2009-00110 Voided) and #RP-2010-00123 through #RP-2010-00248; recreational product dealer salesmen, #RPS-2009-00062 through #RPS-2009-00063 and #RPS-2010-00058 through #RPS-2010-00341; recreational product dealer used facility, #RU-2010-00100; recreational product trade show promoters, #TP-2010-00101 through #TP-2010-00105; recreational product local trade shows, #TL-2010-00102 through #TL-2010-00105; recreational product regional trade shows, #TR-2010-00100 through #TR-2010-00101; and recreational product nonresident exhibitor, #TE-2010-00103. Commissioner Hocevar seconded this motion and it was unanimously approved.

The Executive Director reported on routine matters being handled by the staff and not requiring action by the Commission at this time.

There being no further business, Commissioner Guidry made a motion to adjourn the meeting at 1:07 p.m. Commissioner Hargroder seconded this motion and it was unanimously approved.


Chairman


Executive Director