



State of Louisiana
LOUISIANA MOTOR VEHICLE COMMISSION

Bobby Jindal
Governor

Lessie A. House
Executive Director

June 3, 2014

TO: All New Motor Vehicle Dealer, Recreational Product Dealers Speciality Vehicle Dealer, and Used Motor Vehicle Facilities operated by New Motor Vehicle Dealers, Recreational Product Dealers, Motor Vehicle Lessors, Speciality Vehicle Dealers Licensees.

RE: LSA-R.S. 6:969.1 et seq., 2014 Legislative Changes

Be advised that the Motor Vehicle Sales Finance Act, LSA-R.S. 6:969.18(A)(2) was amended by Act 37 of the 2014 Regular Session. The effective date of Act 36 is May 16, 2014. The statute was amended as follows:

(2)(a) The seller, who may also be an extender of credit, may, in connection with any retail sale, including but not limited to a retail installment transaction, charge a fee for credit investigation, compliance with federal and state law, preparation of the documents necessary to perfect or satisfy a lien upon the objects sold, and any other functions incidental to the titling of the retail sale. The maximum amount permitted to be charged shall be **two** hundred dollars.

(b) When a seller, who may also be an extender of credit, charges a fee pursuant to this Paragraph, a written disclosure shall be provided to the consumer stating the amount of the fee collected pursuant to this Paragraph, along with the following statements in conspicuous type: "This fee is authorized by R.S. 6:969.18(A)(2). It is not a mandatory state fee. The seller, who may also be an extender of credit, may charge the fee for credit investigation, compliance with federal and state law, preparation of the documents necessary to perfect or satisfy a lien upon the objects sold, and any other functions incidental to the titling of the retail sale." The disclosure shall be printed on the bill of sale, buyer's order, or sales contract which is signed by the buyer and retained by the buyer and seller.

R.S. 6:969.18(G) was repealed in its entirety.

The Commission has received numerous questions as to types of vehicles subject to the Louisiana Motor Vehicle Sales Finance (MVSF) Act. A motor vehicle subject to the Act is defined as follows:

LSA-R.S. 6:969.6 (23)(a) "Motor vehicle" means any new or used transportation device, including automobiles, motorcycles, trucks, and other vehicles that are operated over the public highways and the streets of this state, but does not include traction engines, boat trailers, road rollers, implements of husbandry, and other agricultural vehicles. A manufactured home is deemed to be a "motor vehicle" for purposes of this Chapter only if it is anticipated at the time of the transaction that the manufactured home will not be immobilized pursuant to R.S. 9:1149.4.