

Regular Session, 2008

HOUSE BILL NO. 468

BY REPRESENTATIVE ARNOLD

MOTOR VEHICLES: Authorizes motor vehicle dealers to make corrections to sales data during audit periods

1 AN ACT

2 To amend and reenact R.S. 32:1262(B)(1), relative to the distribution and sale of motor  
3 vehicles; to prohibit manufacturers and others from preventing certain corrections  
4 to sales data during audit periods; to provide for penalties due in connection with  
5 audits; to provide for the amount charged or credited to a dealer who incorrectly  
6 submits the number of vehicles sold during the time period subject to audit; and to  
7 provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 32:1262(B)(1) is hereby amended and reenacted to read as follows:

10 §1262. Warranty; compensation; audits of dealer records

11 \* \* \*

12 B.(1) Notwithstanding the terms of any franchise agreement, warranty and  
13 sales incentive audits of dealer records may be conducted by the manufacturer,  
14 distributor, distributor branch, or factory branch. Any audit for warranty parts or  
15 service compensation shall be for the twelve-month period immediately following  
16 the date of the payment of the claim by the manufacturer or distributor. However,  
17 a dealer shall not be held liable by virtue of an audit for failure to retain parts for a  
18 period in excess of six months. Any audit for sales incentives, service incentives,  
19 rebates, or other forms of incentive compensation shall only be for the twelve-month  
20 period immediately following the date of the close of the promotion, event, program,

