Regular Session, 2008

SENATE BILL NO. 327

### BY SENATOR MICHOT

1	AN ACT
2	To amend and reenact R.S. 6:969.18(A), relative to the Motor Vehicle Sales Finance Act;
3	to provide for documentation and compliance fees; and to provide for related
4	matters.
5	Be it enacted by the Legislature of Louisiana:
6	Section 1. R.S. 6:969.18(A) is hereby amended and reenacted to read as follows:
7	§969.18. Documentation and compliance fees; notary fees; transfer of equity and
8	other fees; disclosure
9	A.(1) The extender of credit may charge the consumer up to a thirty-five
10	dollar documentation fee for services performed in documenting a motor vehicle
11	credit transaction.
12	(2) The seller, who may also be an extender of credit, may, in connection
13	with any retail sale, including but not limited to a retail installment transaction,
14	charge a fee for credit investigation, compliance with federal and state law,
15	preparation of the documents necessary to perfect or satisfy a lien upon the objects
16	sold, and any other functions incidental to the titling of the retail sale. The maximum
17	amount permitted to be charged shall be one hundred dollars.
18	(3) The seller or extender of credit may additionally charge the consumer a
19	convenience fee, as provided by R.S. 47:532.1(A)(7)(c), for services performed in
20	obtaining a motor vehicle license or title on the consumer's behalf.
21	(4) The fees provided for in this Section are not considered to be additional
22	loan finance charges or credit service charges under this Chapter and are
23	nonrefundable and not subject to rebate.

#### **ENROLLED**

1	(5) In the event the seller and the extender of credit are the same entity or a
2	directly related entity, the maximum charge for all the services outlined in
3	Paragraphs (1) and (2) of this Subsection shall be thirty-five dollars.
4	* * *
5	Section 2. The purpose of Section 1 of this Act is to clarify Act No. 131 of the 2007
6	Regular Session and to implement the ruling in Arceneaux Ford, Inc. v. Crescent Bank
7	& Trust of New Orleans, No. 100,783, Division "B," 16th Judicial District Court, Parish of
8	Iberia, State of Louisiana.
9	Section 3. This Act shall become effective upon signature by the governor or, if not
10	signed by the governor, upon expiration of the time for bills to become law without signature
11	by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
12	vetoed by the governor and subsequently approved by the legislature, this Act shall become
13	effective on the day following such approval.

### PRESIDENT OF THE SENATE

# SPEAKER OF THE HOUSE OF REPRESENTATIVES

# GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_