

NOTICE OF INTENT

Office of the Governor Motor Vehicle Commission

Automotive Industry

(LAC 46:V.719 and 733)

In accordance with the Administrative Procedure Act, R.S. 49:950 et seq., the Motor Vehicle Commission ("commission") has amended LAC 46: V. 719 and LAC 46: V. 733. These amendments will bring these commission rules in line with the United States Federal Trade Commission ("FTC") rules and regulations governing the advertisement of vehicle sales pricing. As such the commission amended Rule 719 to remove subparagraph "4. Notarial fees, convenience fees and documentary fees" from LAC 46: V.719(A) as charges that may be excluded from the advertised price. The commission also amended LAC 46:V.733. Free Offers. This Rule is adopted on the date of promulgation.

Title 46 PROFESSIONAL AND OCCUPATIONAL STANDARDS Part V. Automotive Industry

Chapter 7.(tab)Advertising

§719. Dealer Price Advertising

A. - A.3. ...

4. Repealed.

B. - D. ...

* * *

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

HISTORICAL NOTE: Promulgated by the Office of the Governor, Motor Vehicle Commission, LR 34:78 (January 2008), amended LR 36:1549 (July 2010), LR 52:

§733. Free Offers

A. If a product or service may be sold at a price arrived at through bargaining, rather than at the advertised sale price, it is improper to represent that another product or service is being offered "Free" with the sale. The same representation is also prohibited where there may be an advertised sale price, but where other material factors such as quantity, quality, or size are arrived at through bargaining. No merchandise or enticement may be described as "free" if the vehicle can be purchased or leased for a lesser price without the merchandise or enticement of if the price of the vehicle has been increased to cover the cost or any part of the cost of the merchandise or enticement. The advertisement shall clearly and conspicuously disclose the advertised price is nonnegotiable and the conditions under which the "free" offer may be obtained.

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

HISTORICAL NOTE: Promulgated by the Office of the Governor, Motor Vehicle Commission, LR:3478 (January 2008), LR 52:

Family Impact Statement

Pursuant to the provisions of R.S. 49:972, the Louisiana Motor Vehicle Commission, through its chairman, has considered the potential family impact of the proposed Rule.

The proposed Rule has no known impact on the following:

1. the effect on stability of the family.
2. the effect on the authority and rights of parents regarding the education and supervision of their children.
3. the effect on the functioning of the family.
4. the effect on family earnings and family budget.

5. the effect on the behavior and personal responsibility of children.
6. the ability of the family or a local government to perform the function as contained in the proposed rule.

Poverty Impact Statement

Pursuant to the provisions of R.S. 49:973, the Louisiana Motor Vehicle Commission, through its chairman, has considered the potential poverty impact of the proposed Rule.

The proposed Rule has no known impact on impact on the following:

1. The effect on household income, assets, and financial security.
2. The effect on early childhood development and preschool through postsecondary education development.
3. The effect on employment and workforce development.
4. The effect on taxes and tax credits.
5. The effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

Small Business Analysis

Pursuant to the provisions of R.S. 49:974.2-974.8, the Regulatory Flexibility Act, the Louisiana Motor Vehicle Commission, through its chairman, has concluded that the proposed Rule is not anticipated to have an adverse impact on small business; therefore, a Small Business Impact Statement has not been prepared.

Provider Impact Statement

Pursuant to the provisions of HCR170 of 2014, the Louisiana Motor Vehicle Commission, through its chairman, has considered the potential provider impact of the proposed Rule.

The proposed Rule has no known impact on impact on the following:

1. the effect on the staffing level requirements or qualifications required to provide the same level of service.
2. the total direct and indirect effect on the costs to the provider to provide the same level of service.
3. the overall effect on the ability of the provider to provide the same level of service.

Public Comments

Interested persons may submit written comments on proposed amended Rules 46:V.7.719 and LAC 46:V.7.733 by October 10, 2026 to Amy M. Casey, Executive Director, Louisiana Motor Vehicle Commission by U.S. Mail at 3017 Kingman Street, Metairie, LA 70006 or at amcasey@lmvc.la.gov.

Public Hearing

Should the commission believe that a public hearing will be requested, the notice of the place, date, and time of this hearing will be published on the motor vehicle commission's website, <http://www.lmvc.la.gov/>.

Amy Casey
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Advertising

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule is not anticipated to result in any costs or savings to state or local governmental units.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule is not anticipated to have any effect on revenue collections of state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NON-GOVERNMENTAL GROUPS (Summary)

The proposed rule is not anticipated to have any effect on revenue collections of state or local governmental units.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule is not anticipated to result in any costs or economic benefits to directly affected persons, small businesses, or non-governmental groups.