

ACT No. 297

2017 Regular Session

HOUSE BILL NO. 217

BY REPRESENTATIVE JORDAN

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AN ACT

To amend and reenact R.S. 22:361(9) and to enact R.S. 22:373(C), relative to vehicle mechanical breakdown insurers; to provide for the incorporation by reference of certain laws regulating unfair competition; to provide for the incorporation by reference of certain laws regulating unfair trade practices; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:361(9) is hereby amended and reenacted and R.S. 22:373(C) is hereby enacted to read as follows:

§361. Definitions

As used in this Subpart:

* * *

(9) "Vehicle mechanical breakdown insurance policy" means any contract, agreement, or instrument whereby a person other than the owner, seller, or lessor of a vehicle assumes the risk of or the expense or portion thereof for the mechanical breakdown or mechanical failure of a motor vehicle and may include other customer assistance and convenience services, such as vehicle rental assistance, towing assistance, trip interruption, and roadside assistance, and shall include those agreements commonly known as vehicle service agreements or extended warranty agreements where the assumption of risk is made by an entity other than the owner, seller, or lessor of the vehicle.

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1 §373. Scope and limitations

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3 C. All vehicle mechanical breakdown insurers operating pursuant to a license
4 as required by this Subpart shall be subject to the following insurance laws of this
5 state specifically incorporated herein by reference: R.S. 22:1961 through 1963,
6 1964(1) through (5), (7)(c), (d), and (f) through (h), (9), (13), (14), and (16) through
7 (18), and 1967 through 1971. None of the provisions of law incorporated in this
8 Subsection by reference shall preclude the seller and buyer of a vehicle mechanical
9 breakdown insurance policy from negotiating the final customer costs of such policy
10 by written agreement.

11 Section 2. This Act shall become effective on July 1, 2017.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____