

Regular Session, 2010  
HOUSE BILL NO. 472

# ACT No. 376

BY REPRESENTATIVE MONTOUCET

1 AN ACT

2 To enact R.S. 38:2212.8 and Chapter 24 of Title 39 of the Louisiana Revised Statutes of  
3 1950, to be comprised of R.S. 39:2181 and 2182, relative to procurement; to prohibit  
4 public entities from contracting with dealers who do not possess a valid dealer  
5 license issued by the Louisiana Motor Vehicle Commission; to require proof of  
6 certain dealers licenses; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 38:2212.8 is hereby enacted to read as follows:

9 §2212.8. Prohibition of bids from or contracts with unlicensed dealers

10 A. A public entity shall not accept any bid from or enter into any contract or  
11 cooperative endeavor agreement, or any other transaction for the procurement of  
12 vehicles, with a dealer who does not possess a valid dealer's license issued under the  
13 provisions of R.S. 32:1254.

14 B. A public entity shall require that any bid submitted by, or a contract or  
15 cooperative endeavor agreement with, a dealer for the purchase of vehicles shall  
16 include a copy of a valid dealer's license issued under the provisions of R.S. 32:1254.

17 C. A public entity shall reject any bid submitted by a dealer for the purchase  
18 of vehicles which does not include a copy of a valid dealer license.

19 D. A public entity shall not sign a contract or cooperative endeavor  
20 agreement with a dealer for the purchase of vehicles which does not include a copy  
21 of a valid dealer license.

22 E. If in the course of an audit or review by the legislative auditor, pursuant  
23 to the powers and duties in R.S. 24:513, a violation of this Section is found, the

1           legislative auditor shall report such findings to the Louisiana Motor Vehicle  
 2           Commission.

3           Section 2. Chapter 24 of Title 39 of the Louisiana Revised Statutes of 1950,  
 4           comprised of R.S. 39:2181 and 2182, is hereby enacted to read as follows:

5                           CHAPTER 24. PROHIBITIONS IN PUBLIC GOVERNMENTAL

6   CONTRACTS AND PROCUREMENT

7           §2181. Applicability; definitions

8                           A. This Chapter shall apply to any contract or cooperative endeavor  
 9                           agreement that results from any bid or other award governed under Chapter 16 and  
 10                           Chapter 17 of this Title.

11                           B. For the purpose of this Chapter, "public entity" shall mean any agency,  
 12                           board, commission, department, or public corporation of the state, created by the  
 13                           constitution or statute or pursuant thereto, or any political subdivision of the state,  
 14                           including but not limited to any political subdivision as defined by Article VI,  
 15                           Section 44 of the Constitution of Louisiana, and any public housing authority, public  
 16                           school board, or any public officer whether or not an officer of a public corporation  
 17                           or political subdivision.

18           §2182. Prohibition of bids from or contracts with unlicensed dealers

19                           A. A public entity shall not accept any bid from or enter into any contract or  
 20                           cooperative endeavor agreement, or any other transaction for the procurement of  
 21                           vehicles, with a dealer who does not possess a valid dealer's license issued under the  
 22                           provisions of R.S. 32:1254.

23                           B. A public entity shall require that any bid submitted by, or a contract or  
 24                           cooperative endeavor agreement with, a dealer for the purchase of vehicles shall  
 25                           include a copy of a valid dealer's license issued under the provisions of R.S. 32:1254.

26                           C. A public entity shall reject any bid submitted by a dealer for the purchase  
 27                           of vehicles which does not include a copy of a valid dealer's license.

28                           D. A public entity shall not sign a contract or cooperative endeavor  
 29                           agreement with a dealer for the purchase of vehicles which does not include a copy  
 30                           of a valid dealer's license.

1                    E. If in the course of an audit or review by the legislative auditor, pursuant  
2                    to the powers and duties in R.S. 24:513, a violation of this Section is found, the  
3                    legislative auditor shall report such findings to the Louisiana Motor Vehicle  
4                    Commission.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

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