MOTOR VEHICLES: Provides relative to certificate of ownership and salvage title for motor vehicles declared to be a total loss
certificate of ownership or certificate of salvage title by an insurer or an agent of an
insurer shall not require the signature or electronic signature of the owner who has
received or is to receive a total loss settlement to be notarized.

(b) If an insurance company or its authorized agent is unable to obtain the
certificate of title from the owner or lienholder within thirty days from the settlement
of the property damages claim, the insurance company or its authorized agent may
submit an application for a salvage title and signed under penalty of perjury, which
application shall be accompanied by all of the following:

* * *

(iv) A release of lien executed by each current holder of a security interest
in the motor vehicle. Alternatively, if after satisfaction of all liens, any lien not
released within seven days of satisfaction, an insurance company or its authorized
agent may submit a copy of a letter of guarantee from each current holder of a
security interest with proof of the payoff amount and payment. If payment is made
by check, proof of payment shall consist of a copy of the front and back of the
endorsed check. If payment is made by electronic transfer, proof of payment shall
consist of evidence of the payment transaction to the account of the payer, including
submission of a screenshot of payment.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part
of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute
part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 790 Original 2022 Regular Session Hollis

Abstract: Prohibits any document supporting an application for a certificate of ownership
or salvage title to be signed and notarized by the owner.

Present law provides the requirements for an application for certificates of title, including
salvage title.

Present law specifies when, as the result of an insurance settlement, a motor vehicle is
declared to be a "total loss", as defined in present law, the insurance company, its authorized
agent, or the vehicle owner shall, within 30 days from the settlement of the property
damages claim, send the certificate of title, properly endorsed, to the office of motor vehicles

CODING: Words in struck through type are deletions from existing law; words underscored
are additions.
along with an application for a salvage title in the name of the insurance company, or its authorized agent, or the vehicle owner.

Proposed law retains present law and prohibits any document, including an original or certified copy of a power of attorney, supporting an application for a certificate of ownership or certificate of salvage title by an insurer or an agent of an insurer to require the signature or electronic signature of the owner who has received or is to receive a total loss settlement to be notarized.

Present law provides the requirements for when an insurance company or its authorized agent may submit an application for a salvage title and signed under penalty of perjury.

Proposed law retains present law and provides the requirements for alternatives when any lien has not been released within seven days of satisfaction. Further provides the requirements for proof of payment should an insurance company or its authorized agent submit a copy of a letter of guarantee from a current holder of a security interest resulting from the lien not being released within seven days of satisfaction.

(Amends R.S. 32:707(I)(1)(a) and (b)(iv))