

2022 Regular Session

SENATE BILL NO. 19

BY SENATOR MORRIS

TRAFFIC. Provides for police officers to use electronic forms. (8/1/22)

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AN ACT

To amend and reenact R.S. 32:415.2(A)(2)(a) and 863.1(C)(1)(a), relative to issuing of citations; to provide for electronic citations; to provide for issuance of a notice of suspension or revocation of driving privilege; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 32:415.2(A)(2)(a) and 863.1(C)(1)(a) are hereby amended and reenacted to read as follows:

§415.2. Operating vehicle while under suspension or revocation; removal of license plate

A. * * *

(2)(a) If the law enforcement officer determines the driver's license of the operator of a motor vehicle registered in this state is suspended or revoked at the time of the stop, pursuant to any provision of this Title or any court order, and ~~such~~ **the** motor vehicle registered in this state is registered in the name of the operator in the department's vehicle registration records, the law enforcement officer shall remove the license plate from the motor vehicle, and the operator of the motor vehicle shall be issued a notice of suspension or revocation of his driving privileges

1 on a ~~form to be promulgated by the department~~ **physical form or a similar**
2 **electronic form that is provided by the department.**

3 * * *

4 §863.1. Evidence of compulsory motor vehicle liability security contained in
5 vehicle; enforcement; penalty; fees

6 * * *

7 C.(1)(a) If the operator of a motor vehicle is unable to show compliance with
8 the provisions of this Part by displaying the required document when requested to
9 do so, the motor vehicle shall be impounded and the operator shall be issued a notice
10 of noncompliance with the provisions of this Part on a ~~form to be~~ **physical or**
11 **electronic form** provided by the department. Notwithstanding the provisions of R.S.
12 32:852(E), ~~such~~ **the** notice may be sent by first class mail. A copy of the notice of
13 noncompliance shall be provided to the towing or storage company and a copy shall
14 be forwarded to the office of motor vehicles within three calendar days after the
15 notice of noncompliance was served. The notice of noncompliance shall serve as
16 notice of administrative hearings rights. In addition, the law enforcement officer
17 shall remove the license plate from the vehicle if the vehicle is registered in
18 Louisiana. The law enforcement officer shall deliver the vehicle license plate to the
19 chief of the agency which employs the officer, or to a person in that agency
20 designated to receive ~~such~~ **confiscated** license plates. In those cases in which a
21 motor vehicle is not impounded, a copy of the notice of noncompliance shall be
22 attached to the vehicle license plate and both shall be delivered to the nearest office
23 of motor vehicles within three calendar days after the notice of noncompliance was
24 served.

25 * * *

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Archana D. Cadge.

DIGEST

SB 19 Engrossed 2022 Regular Session Morris

Present law provides when law enforcement officers determine an operator of a vehicle has a suspended or revoked driver's license at the time of a stop and the vehicle is registered to the operator, the officer shall remove the license plate and issue a notice of suspension on a form as promulgated by the department.

Proposed law retains present law and provides for a physical form or an electronic form.

Proposed law retains present law and further provides the officer can issue an electronic form similar to the physical form provided by the department.

Present law provides when an operator of a motor vehicle fails to produce proof of motor vehicle liability insurance the vehicle shall be impounded and the operator shall be issued a notice of noncompliance on a form to be provided by the department.

Proposed law retains present law and further allows the notice of noncompliance to be issued through an electronic or a physical form.

Effective August 1, 2022.

(Amends R.S. 32:415.2(A)(2)(a) and 863.1(C)(1)(a))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Transportation,
Highways, and Public Works to the original bill

1. Makes technical corrections.