
DIGEST

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HB No. 1418

Abstract: Provides for holds and notification by law enforcement agencies on motor vehicles stored at licensed storage facilities.

Proposed law allows law enforcement agencies to place a hold on a motor vehicle stored at a licensed storage facility for a period not to exceed three business days, unless extended in writing.

Proposed law requires law enforcement agencies to notify the storage facility in writing within three business days whether the hold is to be continued. If no request by law enforcement is made to the storage facility within three business days, the storage facility shall immediately comply with the provisions of present law (R.S. 32:1719).

Proposed law provides that if the hold is to continue beyond three business days, the law enforcement agency may have the vehicle removed to a designated impound lot, in which the vehicle will not be released by the law enforcement agency to the owner until proof of payment of the towing and storage charges incurred by the tow company is presented to the investigating agency.

Proposed law provides that if the law enforcement agency chooses to have the vehicle remain at the storage facility beyond three business days, pursuant to a written notification, the law enforcement agency shall be responsible for payment of storage charges incurred by the tow company for the requested extended period. In such event, the owner shall be responsible for payment of accrued towing and storage charges for the first three business days, when the law enforcement agency either moves the vehicle from the facility to a designated impound lot or provides written notification to extend the hold on the vehicle prior to the expiration of the three business days.

Proposed law provides that if there is a judicial finding of no probable cause for having continued the impoundment, the law enforcement agency ordering the hold shall pay the accrued charges for any towing and storage.

Proposed law provides that when a vehicle owner is found guilty of, or pleads nolo contendere to, the offense that resulted in a hold being placed on the vehicle, regardless of adjudication of guilt, the owner shall pay the accrued towing and storage charges assessed against the vehicle.

(Amends R.S. 32:1735.1)