

HOUSE SUMMARY OF SENATE AMENDMENTS

HB 580

2025 Regular Session

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PUBLIC SFTY/CORRECTIONS: Increase the penalties for operating a vehicle with fictitious plates and provides for specifications for temporary registration plates issued by dealers and the display of temporary registrations plates issued by dealers

Synopsis of Senate Amendments

1. Makes technical changes.
2. Removes La. Motor Vehicle Commission ability to subject dealer to civil penalty.

Digest of Bill as Finally Passed by Senate

Present law specifies that the commissioner may, subject to limitations and conditions in present law, deliver temporary plates or markers designed by the commissioner to a licensed automobile, boat, trailer, camp trailer, truck, motorcycle, or other motor driven cycle, or motorized camper dealer who applies and pays an application fee of four dollars for each set the application is made. Further, specifies that the application must be made upon a form prescribed and furnished by the commissioner. Additionally, specifies that dealers subject to limitations and conditions, may issue temporary registration plates or makers to owners of vehicles, excluding apportioned trucks, provided that owners comply with present law.

Proposed law provides for paper or card stock approved by the commissioner for print on demand plates to a licensed automobile, trailer, truck, motorcycle, or other motorized camper dealer who applies for a license enclosed with an application fee of \$20 per plate or piece of approved paper or card stock for which the application is made by a licensed dealer. Specifies that the application must be made upon a website approved by the commissioner.

Present law requires that every dealer who has made application for temporary plates or makers must maintain in permanent form a record of all temporary registration plates or markers delivered to and issued by him, and maintain in permanent form a record of any other information pertaining to the receipt or issuance of temporary license plates or markers required by the commissioner. Further, requires each record be kept for at least three years from the date of entry of such record. Additionally, requires every dealer to allow full and free access to the records during regular business hours, to duly authorized representatives of the commissioner and to peace officers.

Proposed law modifies present law by replacing markers with paper or cardstock approved by the commissioner for print-on-demand temporary registration plates.

Present law requires dealers who issue temporary registration plates or markers to, on the day of issuance, send to the commissioner a copy of the temporary registration plate or marker application executed by the person entitled to receive such plates or markers and delivered to the dealer prior to the issuance of plates or markers.

Proposed law authorizes dealers who issue temporary plates or print on demand temporary registration plates on paper or card stock to, on the day of issuance of the plates, send electronically to the commissioner the model, model year, make, vehicle identification number, issue date, dealer or lending institution name and address, and the city for each temporary registration plate to the purchasers of the vehicle.

Present law authorizes dealers to issue temporary registration plates to persons who purchase motor vehicles from dealers. Additionally, specifies that all other uses of temporary

registration plates are prohibited.

Proposed law authorizes dealers to issue print on demand temporary plates on paper or card stock approved by the commissioner.

Present law requires dealers who issue temporary plates or markers to insert clearly and indelibly on the face of each temporary registration plate or marker the date of issuance and expiration, and the make and serial number of the vehicle for which issued.

Proposed law requires dealers who issue print on demand temporary registration plates on paper or card stock approved by the commissioner to print on the face of each temporary registration plate the date of issuance, the date of expiration, and the serial number of the vehicle for which issued.

Present law authorizes the commissioner to suspend, after a hearing, the right of a dealer to issue temporary registration plates or markers, if the commissioner finds that present law or his directions are not being complied with by the dealer.

Proposed law modifies present law by authorizing the commissioner to issue a cease and desist order to the dealer directing the dealer to stop issuing plates and surrender all unissued temporary registration plates remaining in the dealer's possession if the commissioner finds his directions are not being complied with by the dealer. Additionally, authorizes dealers that maintain a valid dealers license to request and the commissioner to issue a temporary registration plate on a transactional basis provided the dealer provides copies of all document executed by the prospective purchaser of the vehicle and cease and desist order must remain in effect until the commissioner is satisfied that the dealer will comply with the law at the commissioner's directions, or the dealer no longer possesses a license. Requires the commissioner notify the applicable licensing commission when issuing a cease and desist order.

Present law requires persons issued temporary registration plates or markers to permanently destroy the temporary registration plates or markers immediately upon receiving the annual registration plates; however, if the annual registration plate is not received within 60 days of the issuance of the temporary registration plate or marker and no extension has been granted, the owner is required to immediately upon the expiration of the 60 day period, permanently destroy the temporary registration plates or markers.

Proposed law removes "markers" from present law.

Present law requires temporary registration plates or markers to expire and become void upon the receipt of the annual registration plates or upon the expiration of 60 days from the date of issuance, depending on whichever event occurs first. Further, specifies that if a title transfer is defective or delayed, the purchaser of a new or used motor vehicle which has been issued a temporary registration plate or marker may apply to the dealer for and receive one additional 60 day extension following the expiration of the original temporary registration plate or marker, as approved by the Department of Public Safety and Corrections, office of motor vehicles. Additionally, requires the special temporary registration plates or markers issued under present law to expire and no refund or credit for fees paid by dealers to the commissioners for temporary registration plates or markers is be allowed, except in the event the issuance of temporary registration plates or markers is discontinued, in which case the dealer may petition for a refund.

Present law requires fees prescribed be retained by the commissioner to defray the cost of printing, processing, and issuing the temporary registration plates or markers.

Proposed law removes "markers" from present law.

Present law specifies that the commissioner must issue special temporary registration plates or markers to truck dealers. Additionally, specifies that the special temporary registration

plates or markers must be the same as, and shall be subject to the same requirements as, the other temporary registration plates or markers issued under present law except that:

- (1) The special temporary registration plates or markers must be used only on trucks with a gross vehicle weight rating of 10,000 pounds or more.
- (2) Each special temporary registration plate or marker must be valid for 60 days from the date the special temporary registration plate or marker is issued.

Proposed law removes "markers" from present law. Requires the special temporary plates be used only on trucks with a gross vehicle rating of 10,000 pounds or more.

Proposed law authorizes the commissioner to establish rules to phase out preprinted temporary license plates and require all persons or entities authorized to issue temporary registration plates to only issue print on demand temporary plates on paper or card stock approved by the commissioner.

Proposed law requires the commissioner to ensure that the number printed on temporary license plates is the same as the number printed on the permanent plate issued by the dept.

Proposed law specifies that instead of issuing a temporary registration plate, the commissioner may allow a special or personalized plate to be transferred to the customer's new vehicle from the old vehicle. Further, specifies that in such event, the commissioner must provide the manner in which the transfer is electronically reported as provided for in proposed law.

Present law requires temporary registration license plates be at all times be in a clearly visible place and position. Additionally, requires it to be fastened to the rear of the vehicle or in the rear window of the vehicle to which it has been assigned and maintained in a condition that is clearly legible and free from foreign materials.

Proposed law requires temporary plates be fastened to the rear of the vehicle to which it has been assigned on the bumper on the rear of the vehicle or at the location designed for its display by the manufacturer. Additionally, specifies that the temporary registration plate may be covered or encased in a clear transparent material but must not obscure the plate and must be readable from a distance of 60 ft.

Proposed law requires that commissioner promulgate any rules and regulations as he deems necessary for the purposed of carrying out proposed law.

Proposed law requires any person who displays, possesses, or uses any temporary registration license plate, or encourages another to, facilitate, display, possess or use any temporary registration license plate, knowing the plate to be fictitious or to have been cancelled, revoked, suspended or altered subjects themselves or the other person to criminal penalties of a fine of not less \$100 nor more than \$500 or imprisonment for up to six months, or both.

Proposed law authorizes the commissioner to subject any person, public license tag agent, or auto title company to a civil penalty of not less than \$200 nor more than \$500 for a violation of proposed law.

Present law specifies that no person can do, omit to do, permit, or cause to be done or omitted, any of the things required or prohibited by present law, or to commit any of the list or specific acts, including displaying or causing or permitting to be displayed or having in his possession any registration certificate or registration number plate, knowing the same to be fictitious or to have become cancelled, revoked, suspended, or altered.

Proposed law modifies present law by specifying that selling or offering for sale or otherwise distributing or having in his possession any registration certificate, or registration number plate, including a temporary registration licence plate, knowing the same to be fictitious or

to have become canceled, revoked, suspended, or altered.

Proposed law specifies that whoever violates the provisions of proposed law will be fined not more than \$100, or imprisoned for not more than 30 days, or both except a fine of violating proposed law which must be \$250.

Present law specifies that for the purposes of present law, where the weight of a vehicle does not exceed by ten per centum the weight for which it is licensed or registered, and where such overloading is bona fide, such overloading must not constitute a violation and does not subject the owner or operator of the vehicle to the penalties and requirements.

Proposed law removes present law.

Directs the commissioner of the office of motor vehicles to proceed with emergency rule making to implement the provisions of this Act.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 47:519(A) through (H) and (K) and (L), 521, and 536; adds R.S. 47:519(M) through (O))