

2018 Regular Session

HOUSE BILL NO. 637

BY REPRESENTATIVE HUNTER

MTR VEHICLE/DRIVER LIC: Provides for reinstatement of driving while intoxicated hardship license by court order

1 AN ACT

2 To amend and reenact R.S. 32:414(A)(3)(c), relative to the reinstatement of a driving while
3 under the influence hardship license; to provide an exception to allow the court on
4 its own merit to reinstate a driving while intoxicated hardship license; and to provide
5 for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 32:414(A)(3)(c) is hereby amended and enacted to read as follows:

8 §414. Suspension, revocation, renewal, and cancellation of licenses; judicial review

9 A.

10 * * *

11 (3)

12 * * *

13 (c) The department shall promptly investigate an allegation made by such
14 licensee that the suspension of his driving privileges will deprive him or his family
15 of the necessities of life or will prevent him from earning a livelihood. If the
16 department so finds, it may reinstate the license of such licensee; however, such
17 suspension and reinstatement shall be considered as a first suspension and grant of
18 restricted driving privileges for the purposes of R.S. 32:415.1. However, nothing
19 contained in ~~this Paragraph (3)~~ Subsection (A) of this Section shall be construed as

1 limiting or prohibiting a district court from granting a hardship or restricted driver's
2 license for the full period of the suspension.

3 * * *

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 637 Original

2018 Regular Session

Hunter

Abstract: Allows a district court to grant a hardship license for the full period of suspension for driving while under intoxicated.

Present law provides that the department's requirement to suspend the license of any person 30 days upon a third violation, and 60 days upon fourth and any subsequent violation for littering cannot be construed as limiting or prohibiting a district court from granting a hardship or restricted driver's license for the full period of the suspension.

Proposed law modifies present law by applying the exception to first or second offence driving while intoxicated convictions.

(Amends R.S. 32:414(A)(3)(c))