

2021 Regular Session

HOUSE BILL NO. 147

BY REPRESENTATIVE HORTON

MOTOR VEHICLES: Provides relative to charges collected by public license tag agents

1 AN ACT

2 To amend and reenact R.S. 6:969.18(A)(3), R.S. 9:3530(F), and R.S. 47:532.1(A)(7)(c), (C),
3 and (D), relative to public license tag agents; to authorize a maximum convenience
4 charge for certain transactions; to increase the convenience charges collected by
5 public license tag agents for certain services; to authorize the collection of a
6 convenience charge in addition to other authorized fees, sales taxes, and transactions;
7 and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 6:969.18(A)(3) is hereby amended and reenacted to read as follows:

10 §969.18. Documentation and compliance fees; notary fees; transfer of equity and
11 other fees; disclosure

12 A.

13 * * *

14 (3) The seller or extender of credit may additionally ~~charge the consumer~~
15 collect a convenience ~~fee~~ charge from the consumer, as provided by R.S.
16 47:532.1(A)(7)(c), for services performed in obtaining a motor vehicle license or title
17 on the consumer's behalf.

18 * * *

1 Section 2. R.S. 9:3530(F) is hereby amended and reenacted to read as follows:

2 §3530. Fees; origination; notary, documentation; over-the-credit-limit fee

3 * * *

4 F.(1) A lender may ~~charge the consumer the~~ collect a convenience fee charge
5 authorized by R.S. 47:532.1(C) for services performed by a public license tag agent
6 as well as any E.L.T. fees pursuant to R.S. 32:707.2. Such charge or fees shall not
7 be ~~charged~~ assessed to the consumer more than once.

8 (2) Notwithstanding any other law to the contrary, the convenience ~~fee~~
9 charge authorized by R.S. 47:532.1(C) as well as any E.L.T. fees shall not be
10 considered as interest, nor shall they be included in the calculation of interest.

11 * * *

12 Section 3. R.S. 47:532.1(A)(7)(c), (C), and (D) are hereby amended and reenacted
13 to read as follows:

14 §532.1. Public license tag agents; auto title companies; rules and regulations; surety
15 bonds; fees

16 A.

17 * * *

18 (7)

19 * * *

20 (c) Public license tag agents shall also be authorized to provide information
21 on the status of registration privileges and to process reinstatements of driving and
22 motor vehicle registration privileges when these privileges were revoked due to the
23 failure to maintain the compulsory motor vehicle liability security or the failure to
24 provide proof of such security. Public license tag agents shall be authorized to
25 ~~charge~~ collect a convenience fee charge not to exceed ~~eighteen~~ twenty-three dollars,
26 to provide information on the status of registration privileges and a ~~fee~~ charge not
27 to exceed ~~eighteen~~ twenty-three dollars per reinstatement, provided that the ~~fees~~
28 charges are disclosed immediately to the consumer prior to the initiation of the

1 transaction; and ~~the fees~~ are posted in a conspicuous manner in the business office
2 of the public license tag agent.

3 * * *

4 C. Public license tag agents shall be authorized to collect a convenience ~~fee~~
5 charge in addition to the registration license tax or other authorized fees, sales taxes,
6 and transactions. The convenience ~~fee~~ charge shall not exceed ~~eighteen~~ twenty-three
7 dollars per ~~license~~ authorized transaction. However, the public license tag agents
8 shall collect and retain the full amount of the convenience ~~fee~~ charge. The seller is
9 authorized to ~~charge~~ collect the convenience ~~fee~~ charge authorized by this
10 Subsection in connection with any retail sale, in addition to the fees authorized in
11 Chapter 10-B of Title 6 of the Louisiana Revised Statutes of 1950.

12 D.(1) Each public license tag agent approved by the office of motor vehicles
13 shall disclose information to the consumer that a license tag may be purchased at the
14 office of motor vehicles without payment of the convenience ~~fee~~ charge.

15 (2) Itemization of this convenience ~~fee~~ charge in compliance with federal
16 laws regarding truth and lending shall be considered compliance with this Section.

17 * * *

18 Section 4. The Department of Public Safety and Corrections, office of motor
19 vehicles, shall promulgate rules and regulations in accordance with the Administrative
20 Procedure Act to implement the provisions of this Act.

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 147 Original

2021 Regular Session

Horton

Abstract: Increases charges collected by public license tag agents.

Present law authorizes certain individuals and entities to collect certain convenience fees for motor vehicle related services performed.

Proposed law clarifies that the individuals and entities may collect certain convenience charges rather than convenience fees.

Present law authorizes public license tag agents to charge a convenience fee, not to exceed \$18, to provide information on the status of registration privileges and a fee, not to exceed \$18, per reinstatement, provided that the fees are disclosed immediately to the consumer prior to the initiation of the transaction and the fees are posted in a conspicuous manner in the office of the public license tag agent.

Proposed law increases the maximum convenience charge from \$18 to \$23 for the provision of information on the status of registration privileges and reinstatement.

Present law authorizes the public license tag agents to collect a convenience fee in addition to the registration license tax not to exceed \$18 per license.

Proposed law increases the maximum charge from \$18 to \$23 for all authorized transactions and specifies that a public license tag agent is authorized to collect the convenience charge in addition to other authorized fees, sales taxes, and transactions.

Proposed law requires the Dept. of Public Safety and Corrections, office of motor vehicles, to promulgate rules and regulations adjusting the La. Administrative Code to appropriately conform with the provisions of this Act.

(Amends R.S. 6:969.18(A)(3), R.S. 9:3530(F), and R.S. 47:532.1(A)(7)(c), (C), and (D))