

ACT No. 377

2023 Regular Session

HOUSE BILL NO. 568

BY REPRESENTATIVE PHELPS

1 AN ACT

2 To amend and reenact R.S. 32:863(A)(3)(a), relative to sanctions for violations of required
3 vehicle liability security; to modify the lapse period applicable to sanctions for lapse
4 of required liability security; to provide for rule promulgation; to provide an
5 effective date; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 32:863(A)(3)(a) is hereby amended and reenacted to read as follows:

8 §863. Sanctions for false declaration; reinstatement fees; revocation of registration;
9 review

10 A.

11 * * *

12 (3)(a) Sanctions for a violation of Paragraph (1) of this Subsection shall be
13 imposed until proof of required liability security is provided to the secretary and all
14 reinstatement fees are paid. Sanctions for a violation of Paragraph (2) of this
15 Subsection shall be imposed for a period of not less than twelve months nor more
16 than eighteen months. However, in no event shall these sanctions be removed until
17 such time as proof of the required security is provided to the secretary along with all
18 appropriate fees required by law, including a reinstatement fee of one hundred
19 dollars per violation of Paragraph (1) of this Subsection if the vehicle was not
20 covered by the required security for a period of one to thirty days, two hundred fifty
21 dollars if the vehicle was not covered by required security for a period of thirty-one
22 to ninety days, and five hundred dollars if the vehicle was not covered by required

1 security for a period in excess of ninety days. No reinstatement fee shall be imposed
 2 by the secretary if the vehicle was not covered by required security for a period of
 3 ten days or less and the insured surrenders the vehicle's license plate to the secretary
 4 within ten days or if the violation is the insured's first violation pursuant to Paragraph
 5 (1) of this Subsection and the lapse of insurance coverage was for five days or less,
 6 provided immediate notice of the cancellation is given within one to five days before
 7 issuing the violation. In addition, notice shall be transmitted to the insured through
 8 any digitized credentials established pursuant to R.S. 39:17.2(D), within one to five
 9 days before issuing the violation. The reinstatement fees for violations of Paragraph
 10 (2) of this Subsection shall be as follows: two hundred fifty dollars for a first
 11 violation, five hundred dollars for a second violation, and one thousand dollars for
 12 a third or subsequent violation. The reinstatement fee shall not be owed for an
 13 alleged violation of Paragraph (2) of this Subsection when proof of the required
 14 security is provided to the secretary within sixty days of the date of the notice. If at
 15 the time of reinstatement, a person has multiple violations and is within sixty days
 16 of the notice, the total amount of fees to be paid shall not exceed eight hundred fifty
 17 dollars, for violations of Paragraph (1) of this Subsection, and one thousand seventy-
 18 five dollars for violations of Paragraph (2) of this Subsection. At no time shall the
 19 total amount of fees, including administrative fees, exceed two hundred fifty dollars
 20 for persons sixty-five years or older. After sixty days of the date of the notice, all
 21 fees shall be considered final delinquent debt and therefore owed, and the eight
 22 hundred fifty dollar limit for persons under sixty-five years shall no longer apply.

23 * * *

24 Section 2. The Department of Public Safety and Corrections shall adopt and
 25 promulgate, in accordance with the Administrative Procedure Act, any rules and regulations
 26 that may be necessary to bring existing administrative rules into conformity with the
 27 provisions of this Act.

1 Section 3. This Act shall become effective upon signature by the governor or, if not
2 signed by the governor, upon expiration of the time for bills to become law without signature
3 by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If
4 vetoed by the governor and subsequently approved by the legislature, this Act shall become
5 effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____