

2024 Regular Session

SENATE BILL NO. 279

BY SENATOR FESI

MOTOR VEHICLES. Prohibits driving on Louisiana highways without lawful presence in the United States and without a motor vehicle liability insurance policy or other mandatory security. (gov sig)

1 AN ACT

2 To enact R.S. 32:911, relative to operating a motor vehicle without a motor vehicle liability
3 policy; to prohibit certain individuals who are without lawful presence in the United
4 States and without a required motor vehicle liability policy from operating a motor
5 vehicle; to provide for the duties of law enforcement; to require law enforcement
6 officials to notify the United States Immigration and Naturalization Service under
7 certain circumstances; to provide for penalties; to provide for an effective date; and
8 to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 32:911 is hereby enacted to read as follows:

11 **§911. Prohibition against driving on state roads while unlawfully present in the**
12 **United States and without a motor vehicle liability policy**

13 **A. No alien student or nonresident alien shall operate a motor vehicle in**
14 **the state without all of the following:**

15 **(1) Documentation demonstrating that the person is lawfully present in**
16 **the United States.**

17 **(2) Documentation demonstrating proof of automobile insurance or**

1 other security that meets the minimum standards for operating a motor vehicle
2 as required in R.S. 32:900.

3 B. Upon a law enforcement officer detaining a person suspected of
4 operating a vehicle without lawful presence in the United States and the suspect
5 fails to show proof of insurance or security as required in Subsection A of this
6 Section, law enforcement officials shall detain the individual and shall notify the
7 United States Immigration and Naturalization Service and provide the name
8 and location of the suspect to determine if deportation and removal is
9 warranted.

10 C. Whoever commits the offense of operating a motor vehicle in this state
11 without lawful presence in the United States and without auto insurance or
12 other motor vehicle liability policy that meets the minimum standards set forth
13 in R.S. 32:900 shall be subject to the same penalties applicable to R.S.
14 32:1023(E).

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

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Carla S. Roberts.

	DIGEST	
SB 279 Original	2024 Regular Session	Fesi

Present law requires that a person driving an automobile on La. roads or highways to maintain an auto insurance liability policy or other minimum acceptable security to cover the driver in case the driver causes negligent damage to another automobile or negligent injury to another driver, passenger, or pedestrian.

Proposed law retains present law but prohibits persons suspected of driving without lawful presence in the U.S. if the suspect is unable to show that the suspect has the required motor vehicle liability insurance policy or other acceptable security from operating a motor vehicle required in present law. Provide for the duties of La. law enforcement officials to notify the U.S. Immigration and Naturalization Service for possible deportation and removal under federal law.

Present law provides that a person who is found guilty of operating an automobile on La.

roads without an automobile liability insurance policy or other required minimum acceptable security is subject to a misdemeanor and a fine of not more than \$500 and imprisonment of not more than 90 days.

Proposed law retains present law and provides that the same penalty is to be imposed for driving without lawful presence in the U.S. when the driver does not have a mandatory required automobile liability insurance policy or other acceptable security.

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

(Adds R.S. 32:911)