

ACT No. 579

2024 Regular Session

HOUSE BILL NO. 923

BY REPRESENTATIVE BOYER

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AN ACT

To amend and reenact R.S. 40:1461(B), (C), and (D) and to enact R.S. 40:1461(G), relative to rules and regulations for the commissioner of the office of motor vehicles; to provide for the issuance, suspension, or revocation of licenses or contracts; to establish fines for penalties; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:1461(B), (C), and (D) are hereby amended and reenacted and R.S. 40:1461(G) is hereby enacted to read as follows:

§1461. Requirements for private training and driving instructor schools

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B. Every person desiring to train or instruct in driving courses shall file a written application with the ~~deputy secretary~~ commissioner.

C. The commissioner ~~deputy secretary~~ of the ~~Department of Public Safety and Corrections, public safety services~~ office of motor vehicles, shall establish rules and regulations ~~governing the issuance and revocation of requirements and qualifications of each applicant and enumerating the terms of the contract and causes of suspension or revocation of the contract and possible fines for violations committed thereunder~~ in accordance with the Administrative Procedure Act subject to oversight review by the House and Senate committees on transportation, highways, and public works, for the following:

- (1) The issuance, suspension, or revocation of licenses.
- (2) The requirements and qualifications of each applicant for a contract.

1 (3) The establishment of the terms, manner, and location of instruction and
2 testing.

3 (4) The establishment of the causes of suspension or revocation of the
4 license and contract and the imposition of a fine not to exceed one thousand five
5 hundred dollars, pursuant to a schedule, for any violation of statutory law, rules, and
6 regulations or the terms of the contract.

7 D. The ~~deputy secretary~~ commissioner shall charge a fee of twenty-five
8 dollars for each school or agency. The ~~deputy secretary~~ commissioner shall charge
9 a fee of ten dollars for each additional instructor the school or agency may employ.

10 * * *

11 G. For purposes of this Section as it relates to a driving instructor training
12 school or agency for a Class D or E license, or a person providing driving courses
13 for a Class D or E license, the following words and phrases shall have the meaning
14 ascribed to them in this Section, unless the context clearly indicates a different
15 meaning:

16 (1) "Principal" means a person or provider who has the primary responsibility
17 for a driver education program at a school or agency.

18 (2) "Third-party tester" means a person or entity licensed to provide driving
19 courses who has executed a contract with the department to administer knowledge
20 and road-skills tests required by Louisiana law for driver's license issuance.

21 (3) "Third-party examiner" means a person employed by a third-party tester
22 who is licensed as an instructor and is also authorized by a contract with the state to
23 administer the knowledge and road-skills test for Class D and E licenses.

24 (4) "Engaged in the business of operating a private driving instructor training
25 school or agency" means any person or entity who applies to or contracts with the
26 office of motor vehicles to operate a driving instructor training school or agency
27 pursuant to R.S. 32:408.1 or R.S. 40:1461 and any current or prospective employee

- 1 who works the business including but not limited to an instructor, an examiner, or
2 any staff member who has access to the students' records.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____