

GREEN SHEET REDIGEST

HB 74

2025 Regular Session

Mike Johnson

DOMESTIC ABUSE: Provides for the termination of manufacturer vehicle tracking services in certain cases of domestic abuse, sexual assault, or stalking

DIGEST

Proposed law (R.S. 46:2191) defines "abuser", "covered act", "remote access technology", and "survivor".

Proposed law (R.S. 46:2192) provides that a motor vehicle manufacturer shall suspend the remote access technology on a motor vehicle within two days of a complete remote access suspension request.

Proposed law provides the requirements for a complete remote access suspension request.

Proposed law provides that the remote access technology may remain disabled for the duration of the protective order, temporary restraining order, or judgment granting exclusive use of the motor vehicle.

Proposed law provides that the motor vehicle manufacturer shall provide a process that includes a prominent and clearly visible link entitled "How to Disconnect Remote Vehicle Access" on the motor vehicle manufacturer's website.

Proposed law provides that proposed law shall not apply to a motor vehicle manufacturer that technologically is unable to disable the remote access technology on a motor vehicle.

Proposed law (R.S. 46:2193) provides that a motor vehicle manufacturer shall be subject to a civil fine of \$10,000 per violation, not to exceed a sum of \$1,000,000. The attorney general may maintain a civil action in a court of competent jurisdiction to recover such fines.

Proposed law (R.S. 46:2194) establishes a fund where all civil fines levied against a motor vehicle manufacturer in violation of proposed law are managed by the La. Commission on Law Enforcement and Administration of Criminal Justice. The fund is also composed of monies derived from appropriations by the legislature.

Proposed law provides that the monies in the fund shall be used to assist victims of crime pursuant to the Victims of Crime Act and the Violence Against Women Act.

Proposed law (R.S. 46:2195) provides that a motor vehicle manufacturer may not require the survivor to pay a fee or any outstanding fines owed by the abuser or contact the abuser after the survivor submits a complete remote access suspension request in order to disable the remote access technology.

Proposed law provides that an individual with ownership interest who has been granted a protective order or temporary restraining order, or any other individual who has been granted exclusive use of the vehicle by a court of competent jurisdiction shall not be granted the exceptions provided under the prohibition for tracking devices.

Proposed law (R.S. 46:2196) provides that a motor vehicle manufacturer and any officer, director, employee, vendor, or agent thereof shall not be subject to liability for any claims deriving from the motor vehicle manufacturer's technological inability to disable the remote access technology.

Proposed law establishes the "Survivor Empowerment Fund" for actions pursuant to proposed law.

(Adds R.S. 14:323(E) and R.S. 46:2191-2196)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Civil Law and Procedure to the original bill:

1. Make technical changes.
2. Change the name of the fund from "Christine Dowdall Fund" to "Survivor Empowerment Fund".
3. Provide that proposed law shall not apply to a motor vehicle manufacturer that technologically is unable to disable the remote access technology on a motor vehicle.
4. Provide that a motor vehicle manufacturer and any officer, director, employee, vendor, or agent thereof shall not be subject to liability for any claims deriving from the motor vehicle manufacturer's technological inability to disable the remote access technology.

The House Floor Amendments to the engrossed bill:

1. Establish the "Survivor Empowerment Fund" for claims deriving from an action pursuant to proposed law.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary A to the reengrossed bill

1. Clarifies that the certified copy of a protective order needed for a survivor's remote access suspension request may be signed by a judge, a hearing officer or a commissioner.
2. Specifies that a motor vehicle manufacturer shall provide a process that includes a prominent and clearly visible link entitled "HOW TO DISCONNECT REMOVE VEHICLE ACCESS" on the motor vehicle manufacturer's website.
3. Provides that civil fines shall be used to assist victims of crime pursuant to the Victims of Crime Act and the Violence Against Women Act.