

RÉSUMÉ DIGEST

ACT 701 (HB 1085)

2026 Regular Session

Bagley

Existing law (R.S. 30:2054(B)(8)) establishes and implements a program for the control and abatement of vehicle emissions in accordance with existing law (R.S. 30:2060) and other applicable state and federal laws, particularly the Clean Air Act as amended, but not to exceed the requirements provided unless specifically authorized. Further requires that the program be applicable only in parishes and municipalities necessary to comply with the Clean Air Act or regulations by the U.S. Environmental Protection Agency (EPA). Additionally requires that if the program includes the periodic inspection of vehicles, the frequency of performing the inspections be as allowed by federal law or regulations or by agreements with federal agencies. Authorizes the secretary to annually exempt vehicles of that model year and vehicles from prior model years from on-board diagnostic (OBD II) testing. Further requires that the fees due the dept. for this program pursuant to existing law be deposited into the Environmental Trust Dedicated Fund Account.

New law updates the reference to a redesignated area of law.

Existing law (R.S. 32:357) requires every passenger vehicle, other than a motorcycle, and every motor truck or truck tractor, and every authorized emergency vehicle be equipped with an adequate windshield.

New law (R.S. 32:357(B)) retains existing law and adds a requirement that every noncommercial vehicle registered in this state maintain the integrity and condition of the windshield. Further outlines the standards for windshields as follows:

- (1) Requires eight and ½ in. by 11 in. "acute area" directly in the driver's line of vision have no cracks and have no more than two stars, nicks, chips, bullseyes, or half-moons in excess of one-half inch.
- (2) Requires in the "critical area" cleaned by the normal sweep of the windshield wiper blade on the driver's side of the windshield there be no star larger than two inches in diameter; there be no more than two stars larger than one and 1/2in. in diameter. Further requires there be no more than two cracks longer than eight inches; or any combination.
- (3) Requires that in the remaining areas of the windshield, cracks which jeopardize the integrity of the windshield are a cause for violation.

New law (R.S. 32:357(C)) requires every commercial motor vehicle have a windshield that meets the requirements of federal law.

New law (R.S. 32:357(D)) requires every school bus registered in this state maintain the integrity and condition of the windshield. Further outlines requirements of the windshield as follows:

- (1) Be free of discoloration or damage that would interfere with the driver's view, not including a two inch border at the top and a one inch border at each side of the windshield or each panel.
- (2) Not contain a crack exceeding 1/4 in. in width, if not intersected by any other crack or have any damaged area which can be covered by a disc 3/4 in. in diameter, if not closer than three inches to any other damaged area.

Existing law (R.S. 32:1301) prohibits a person from driving or moving on any hwy. operating a motor vehicle, low-speed vehicle as defined in existing law, any trailer, semitrailer, or pole trailer, or any combination, unless the equipment on the vehicle is in good working order and adjustment as required in existing law and the vehicle is in such safe mechanical condition as not to endanger the driver or other occupant or any person upon the hwy. Prior law specified that every vehicle, low-speed vehicle, trailer, semitrailer, and pole trailer registered in this state must bear a valid safety inspection certificate issued in the state of La., except as otherwise provided by existing law.

New law retains existing law.

New law removes "motor" and "low-speed vehicle, trailer, semitrailer, and pole trailer vehicles" from being required to bear a valid safety inspection certificate. Further clarifies that every vehicle which is required to be inspected by law bear a valid inspection certificate.

Existing law (R.S. 32:1302) authorizes the Director of Public Safety and certain law enforcement agencies to require the driver to stop and submit the vehicle to an inspection if the vehicle appears unsafe, not equipped as required by law, or its equipment is not proper. Requires the officer provide written notice to the driver and send a copy to the Dept. of Public Safety and Corrections (DPS&C) if the vehicle is found to be unsafe or not in proper repair. Prior law required the notice specify that the vehicle be placed in safe condition and proper repair and that a certificate of inspection and approval be obtained within five days.

New law requires the vehicle be issued a citation if it is found to be unsafe or not equipped according to existing law. Removes the requirement that a certificate of inspection and approval be obtained within five days if the vehicle is deemed unsafe.

Prior law (R.S. 32:1304(A)) required the secretary at least once every other year, but not more frequently than twice each year, require that every vehicle, low-speed vehicle, trailer, semitrailer, and pole trailer registered in this state be inspected and that an official certificate of inspection and approval be obtained for such vehicle. Further specified that overweight and oversize mobile homes requiring a state permit not be required to bear a certificate of approved inspection when being moved by a bonded carrier or used vehicles in transit by a dealer be required to have a certificate of inspection and approval. Provided standards for emission control devices and windshields.

New law requires that the secretary at least once a year, but not more frequently than twice a year, require every commercial vehicle registered in this state and require it to be inspected pursuant to federal regulations, every covered farm vehicle with a gross vehicle weight rating or gross combination weight rating exceeding 26,000 lbs, and every student transportation vehicle registered in this state require inspection pursuant the La. Administrative Code and be given an official certificate of inspection and approval.

Existing law (R.S. 32:1304(B)) requires owners and operators of all vehicles equipped with windshields display on the lower left hand corner of the windshield a certificate of inspection affixed by a duly authorized vehicle inspection station.

New law removes the term "motor" when referencing vehicles.

Prior law (R.S. 32:1304(C)) authorized the director to accept in this state a certificate of inspection and approval issued in another state having an inspection law similar to this existing law and could extend the time within which a certificate required to be obtained by the resident owner of a vehicle which was not in this state during the time an inspection was required.

New law removes prior law in its entirety.

Prior law (R.S. 32:1304(E)(1)) specified that lack of a valid inspection sticker that has been expired for less than a month and lack of displayed inspection certificate on a replaced windshield glass did not constitute a violation.

New law removes prior law in its entirety.

Existing law (R.S. 32:1304(E)(2)) specifies an exception that when a certificate of inspection is removed from a windshield by reason of replacement of windshield glass, the owner of the vehicle may be issued, for a fee of \$5.25 and return of the original certificate to an inspection certificate station, a certificate which must be valid for the time remaining on the original certificate.

New law redesignates existing law.

Prior law (R.S. 32:1304(F)) required the purchaser of a used vehicle from a private individual be protected from citations for failure to have an inspection tag during the interval

between the date of purchase and the receipt of title, provided proof of application can be shown.

New law removes prior law in its entirety.

New law (R.S. 32:1304(G)(1)) specifies that the secretary must require motor vehicles registered in a parish or municipality subject to the federal Clean Air Act, or continuous regulations promulgated by the U.S. EPA requiring performance of the inspection and maintenance program, be inspected in accordance with existing law. Further requires that nothing be construed to relieve any operator of a motor vehicle, low-speed vehicle, trailer, semitrailer, or pole trailer, or any combination from compliance with the provisions of existing law.

New law (R.S. 32:1304(G)(2)) specifies that the secretary must require the inspection of all approved automotive emission control devices installed on vehicles required to be inspected or that were produced after model year 1980 to ensure that such devices have not been tampered with and are operative. Further exempts low-speed vehicles from regular emissions inspections.

New law (R.S. 32:1304(G)(3)) requires the secretary formulate and promulgate a set of standards for the control and regulation of emission control devices on all automobiles and other vehicles subject to inspection pursuant new law, which standards must be consistent with other federal and state regulations for the installation and operation of approved emission control devices. Further authorizes the secretary to make necessary rules and regulations for the administration and enforcement of new law and to designate any periods of time during which owners of vehicles and require external, readily visible certificates of inspection for emissions inspection and approval or produce them on demand of any officer or employee of the dept. designated by the secretary when authorized.

New law (R.S. 32:1304(H)) authorizes the secretary to accept state certificates of inspection and approve those issued in another state having an inspection law similar to inspection laws of La. and authorizes the extension of time within which a certificate must be obtained by the resident owner of a vehicle not in this state during the time an inspection was required.

New law (R.S. 32:1304.1) specifies that the secretary must require every vehicle or low speed vehicle registered in this state bear a La. Vehicle Identification Program sticker. Requires the sticker contain the vehicle identification number and be visible to law enforcement. Further requires that the fee not exceed \$6 per year and may be assessed and collected on a biennial basis. Additionally authorizes the secretary to make necessary rules and regulations for the administration and enforcement of new law and to designate the display upon such vehicles program stickers. Specifies that the rules and regulations include but are not limited to the location to affix the program sticker and the inclusion of a barcode, quick response code, or comparable electronic identifiers on the sticker.

Existing law (R.S. 32:1306(C)(1)(a)) requires certain charges or fees be charged for each certificate of inspection and approval issued for specific vehicles.

New law redesignates existing law.

Prior law (R.S. 32:1306(C)(1)(b), (c), and (2)) specified the validity of certificate of inspection periods and certain charges for certain vehicles.

New law removes prior law in its entirety.

Existing law (R.S. 32:1306(C)(3)) specifies that for parishes and municipalities that have a vehicle inspection and maintenance program required by the federal Clean Air Act or regulations promulgated by the U.S. EPA, an additional \$8 is charged for each inspection that includes the performance of the inspection and maintenance (I/M) program pursuant to existing law for 1980 or newer model year vehicles. Requires that the vehicle inspection station retain \$6 of the additional charge for implementation and performance of the I/M program. Additionally requires that \$2 of the additional charge be transferred to the La. Dept. of Environmental Quality to implement and operate the I/M program. Provides that the provisions in existing law not apply to trailers, light trailers, or semitrailers.

New law removes "additional" from the charges for inspection and the exemption for trailers, light trailers, or semitrailers.

Existing law (R.S. 32:1306(C)(5)) requires an annual charge or fee of \$30 be charged for the inspection of all commercial vehicles which are required to be inspected under the provisions of applicable federal regulations. Prohibits additional charges or fees other than the \$30 fee for a commercial vehicle inspection. Further requires that of the \$30 fee, the vehicle inspection station operator who performs this inspection retain \$23.75, with \$2.25 to be transferred to the office of motor vehicles (OMV) for expenses associated with vehicle and financial responsibility programs and \$4 be transferred to the office of state police for use in traffic law enforcement. Prohibits an additional cost for the inspection of an adjustment of headlights inspection. Prior law specified that the legislature declared that a commercial vehicle inspection was much more extensive than the inspection mandated in prior law and that the increase in the fee or charge for the inspection of commercial vehicles was based on the difference in the two types of inspection.

New law redesignates existing law and removes the specification that the legislature declares that a commercial vehicle inspection is much more extensive than the inspection mandated in prior law and that the increase in the fee or charge for the inspection of commercial vehicles is based on the difference in the two types of inspection.

Existing law (R.S. 32:1306(C)(6)) specifies certain charges for the inspection of student transportation vehicles. Prohibits an additional cost for the inspection of an adjustment of headlights inspection.

New law redesignates existing law and retains the certain charges for the inspection of student transportation vehicles and that adjustment of headlights in inspections be at no additional cost.

Prior law (R.S. 32:1306(C)(6)(c)) specified that the legislature declared that a student transportation vehicle inspection is much more extensive than the inspection mandated in prior law and that the increase in the fee or charge for the inspection of student transportation vehicle inspection was based on the difference in the two types of inspection.

New law removes prior law in its entirety.

Directs the commissioner of the DPS&C, OMV, to adopt rules and regulations in accordance with the Administrative Procedure Act to provide for the implementation of the new law by no later than Dec. 31, 2026, and is authorized to use the emergency rulemaking process.

Specifies that for the period from June 30, 2026, to Jan. 1, 2027, no law enforcement officer can issue citations to any vehicle for failing to produce or display a certificate of inspection.

Specifies that for the parishes subject to the federal Clean Air Act, or continuous regulations promulgated by the U.S. EPA requiring performance of the I/M program, require that new law take effect if and when the U.S. EPA adopts the proposed State Implementation Plan amendments submitted by the Dept. of Environmental Quality. For all other parishes new law takes effect on Jan. 1, 2027.

Provides that the provisions of new law are severable.

(Amends R.S. 30:2054(B)(8) and R.S. 32:357, 1301, 1302, 1304, 1306(C); Adds R.S. 32:1304.1; Repeals R.S. 32:707.5(D)(3) and 1303)