

First Extraordinary Session, 2005

HOUSE BILL NO. 129

BY REPRESENTATIVE K. CARTER

MOTOR VEHICLES: Authorizes the use of motor vehicles declared a total loss due to disaster or emergency to be used to build reefs off the coast of Louisiana (Item #13)

1 AN ACT

2 To enact R.S. 32:739 and R.S. 56:639.11, relative to motor vehicles; to provide for
3 gubernatorially declared disaster or emergency; to provide for damaged vehicles; to
4 provide for disposal; to provide for artificial reefs; to provide for rules and
5 regulations; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 32:739 is hereby enacted to read as follows:

8 §739. Total loss vehicles; gubernatorially declared emergency

9 A. The owner of any motor vehicle which qualifies as a total loss under this
10 Chapter because of damages caused by the event giving rise to gubernatorially
11 declared disaster or emergency may dispose of the motor vehicle through the state
12 artificial reef program, R.S. 56:639.1 et seq. so long as the vehicle meets the
13 standards required for artificial reef construction materials under that program. The
14 motor vehicles shall be free and clear of any liens or encumbrances.

15 B. Any person who intends to dispose of a motor vehicle under the
16 provisions of this Section shall first obtain a letter from the office of motor vehicles
17 authorizing such disposal. The application for such authorization shall include
18 identification of the owners of the vehicle, the VIN number, and any other
19 information required by the office. The secretary may adopt such rules and
20 regulations as may be necessary to effectuate the provisions of this Section.

1 Section 2. R.S. 56:639.11 is hereby enacted to read as follows:

2 §639.11. Total loss vehicles; gubernatorially declared emergency

3 A. Any person applying to the secretary of the Department of Wildlife and
4 Fisheries to dispose of a motor vehicle pursuant to R.S. 32:739 shall, as a part of the
5 application, include the letter of authorization from the office of motor vehicles. The
6 applicant shall provide to the secretary of the Department of Wildlife and Fisheries
7 such evidence as may be required to show that the motor vehicle meets the standards
8 and requirements of the Louisiana Artificial Reef Development Program to allow the
9 vehicle to be disposed as artificial reef construction material. The secretary shall
10 certify to the office of motor vehicles each vehicle that has been accepted and
11 disposed of as artificial reef construction material.

12 B. The secretary of the Department of Wildlife and Fisheries may adopt such
13 rules and regulations as may be necessary to implement the provisions of this
14 Section.

15 Section 3. 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.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument.

K. Carter

HB No. 129

Abstract: Allows the disposal of motor vehicles that are a total loss due to damages from a disaster event to be disposed of through the Louisiana Artificial Reef program.

Proposed law allows the owner of a motor vehicle that is a total loss to dispose of the vehicle through the state artificial reef program if the vehicle became a total loss due to damages cause by the event of a gubernatorially declared disaster or emergency.

Proposed law requires the vehicle to meet the standard required for artificial reef construction materials.

Proposed law requires the vehicle to be free of liens or encumbrances.

Proposed law provides for a letter from the office of motor vehicles that authorizes the owner to dispose of the vehicle in the artificial reef program.

Proposed law provides for the vehicle owner to apply to the secretary of the Department of Wildlife and Fisheries to dispose of the vehicle in the artificial reef program. Requires a showing of evidence that the vehicle meets the standards and requirements of the program to be allow to be disposed of as artificial reef construction materials.

Proposed law requires the secretary of the Department of Wildlife and Fisheries to certify to the office of motor vehicles each vehicle that has been accepted and disposed of under the artificial reef program.

Proposed law authorizes the adoption of rules and regulations to implement proposed law.

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

(Adds R.S. 32:739 and R.S. 56:639.11)