

Regular Session, 2013

HOUSE BILL NO. 364

BY REPRESENTATIVE BERTHELOT

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

CRIME: Creates the crime of forgery of a motor vehicle inspection certificate and provides criminal penalties for the commission of such offense

1 AN ACT

2 To amend and reenact R.S. 32:1308 and to enact R.S. 14:72.6, relative to forgery of a motor
3 vehicle inspection certificate; to provide relative to false certificates of motor vehicle
4 inspection; to create the crime of forgery of a motor vehicle inspection certificate;
5 to provide for the elements of the offense; to provide for criminal penalties; and to
6 provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 14:72.6 is hereby enacted to read as follows:

9 §72.6. Forgery of a motor vehicle inspection certificate; penalties

10 A. Forgery of a motor vehicle inspection certificate is the knowing or
11 intentional production, manufacture, transfer, or distribution of any fraudulent
12 document or portion thereof intended to serve as a certificate of motor vehicle
13 inspection as defined by the provisions of Chapter 7 of Title 32 of the Louisiana
14 Revised Statutes of 1950.

15 B. Whoever commits the crime of forgery of a motor vehicle inspection
16 certificate shall be fined not more than five thousand dollars, imprisoned with or
17 without hard labor for not more than five years, or both.

1 Section 2. R.S. 32:1308 is hereby amended and reenacted to read as follows:

2 §1308. False certificates

3 ~~A. No person shall make, issue or knowingly use any imitation or counterfeit~~
4 ~~of an official certificate of inspection.~~

5 ~~B.~~ No person shall display or cause or permit to be displayed upon any
6 vehicle any certificate of inspection and approval knowing the same to be fictitious
7 or issued for another vehicle or issued without an inspection having been made.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Berthelot

HB No. 364

Abstract: Creates the crime of forgery of a motor vehicle inspection certificate and provides criminal penalties for the commission of such offense.

Present law requires every motor vehicle registered in this state to bear a valid safety inspection certificate issued in the state of Louisiana.

Present law provides that no person shall make, issue, or knowingly use any imitation or counterfeit of an official certificate of inspection. Further provides that any person who commits this act shall be subject to a criminal penalty including a fine of not more than \$500, imprisonment for not more than six months, or both. Further provides that such person shall also be subject to a civil penalty of not more than \$1,000.

Proposed law repeals the provision of present law which subjects any person who makes, issues, or knowingly uses any imitation or counterfeit of an official certificate of inspection to criminal and civil penalties in present law.

Proposed law creates the crime of forgery of a motor vehicle inspection certificate and provides criminal penalties for the commission of the offense of imprisonment for not more than five years, a fine of not more than \$5,000, or both.

(Amends R.S. 32:1308; Adds R.S. 14:72.6)