
DIGEST

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Jim Morris

HB No. 654

Abstract: Provides with respect to method of notice of toll violations and delinquencies.

Removes certain late charges. Allows for communication regarding toll violations to be made by electronic mail.

Present law provides that no motor vehicle shall be driven and no motor vehicle shall be towed through a toll collection facility on the LA 1 Project without payment of the proper toll.

Present law further provides that in the event of the nonpayment of the proper tolls on the LA 1 Project, the registered owner of such vehicle or trailer shall be liable to make prompt payment of the proper toll and, in certain circumstances, an administrative fee of \$25 to recover the cost of collecting the toll.

Present law provides that for alleged toll violations on the LA 1 Project, a notice violation is sent to a person alleged to be liable as the registered owner of the vehicle and for basic requirements for the contents of the violation notice.

Proposed law retains present law.

Proposed law defines "electronic mail" and "electronic mail address" for purposes of toll violations associated with the LA 1 Project.

Proposed law provides that the notice violation required to be sent to persons alleged to be liable for toll violations on the LA 1 Project contain, in addition to the basic requirements in present law, an electronic mail address and physical or post office mailing address to which an appeal may be sent.

Present law requires that the notice violation, for toll violations alleged to have occurred on the LA 1 Project, also include a warning that the registered owner pay the toll and administrative fees stated in the notice or appeal the violation within 30 days after the issuance of the notice.

Proposed law retains present law.

Present law provides that a registered owner, for toll violations alleged to have occurred on the LA 1 Project, may appeal an alleged toll violation by, without waiving his right to a hearing, by receiving a review and written disposition within 60 days of receipt of all required material. This appeal may be made without waiving a right to a hearing as provided in present law.

Present law provides that a registered owner may, for toll violations alleged to have occurred on the LA 1 Project, appeal a violation notice by making a written statement for an appeal hearing before a designated agent. The parties are notified of the decision following the hearing in person or by mail.

Proposed law requires that the notice violation, for toll violations alleged to have occurred on the LA 1 Project, include a warning that the registered owner pay the toll and administrative fees stated in the notice appeal the violation by making a request for a hearing within 30 days after the issuance of the notice. Proposed law requires the violation notice to contain a statement notifying the registered owner that he may waive his right to a hearing by giving notification that he is doing so and appealing the violation by request for written disposition.

Proposed law provides that a registered owner, for toll violations alleged to have occurred on the LA 1 Project, may waive his right to a hearing, by notification by either mail or electronic mail, and appeal an alleged toll violation by receiving a review and written disposition within 60 days of receipt of all required material. This appeal may be made without waiving a right to a hearing as provided in present law.

Present law provides that a registered owner may, for toll violations alleged to have occurred on the LA 1 Project, appeal a violation notice by making a written statement for an appeal hearing before a designated agent.

Proposed law provides that a registered owner may, for toll violations alleged to have occurred on the LA 1 Project, appeal a violation notice by making a written statement for an appeal hearing before a designated agent. The parties are notified of the decision following the hearing in person, by mail, or electronic mail.

Proposed law provides that, for communications about toll violations alleged to have occurred on the LA 1 Project, electronic mail sent by the registered owner to the address provided in the violation notice shall be presumptive evidence of receipt. Electronic mail sent to the address provided by the registered owner shall be presumptive evidence of receipt by the registered owner.

Present law provides that, for toll violations alleged to have occurred on the LA 1 Project, a registered owner who fails to pay the administrative fees stated in a violation notice and to appeal a violation notice within 30 days of its issuances shall incur a late charge of \$5 and that the owner shall be notified of this by first-class mail.

Proposed law retains present law for toll violations alleged to have occurred on the LA 1 Project.

Present law provides, for toll violations alleged to have occurred on the LA 1 Project, that a registered owner who fails to respond to a violation notice within 45 days after the date of issuance of the violation notice shall incur an additional late charge of \$15 dollars and that the registered owner shall be notified of this by mail.

Proposed law removes present law, including the imposition of the \$15 additional late fee.

Present law provides, for toll violations alleged to have occurred on the LA 1 Project, that registered owners who fail to respond to a violation notice within 60 calendar days after the issuance of the notice shall incur an additional late charge of \$20. The registered owner and the office of motor vehicles shall be notified of this delinquency. The office of motor vehicles shall place the matter on record and not renew the driver's license of the registered owner until notice that all matters regarding the alleged toll violation have been disposed of in accordance with law.

Proposed law removes, for toll violations alleged to have occurred on the LA 1 Project, the additional late charge of \$20 and requirement that a notice of delinquency be sent to the registered owner 60 days after the date of the issuance of the violation.

Proposed law provides that a registered owner who fails to respond to a violation notice, issued for toll violations alleged to have occurred on the LA 1 Project, within 60 calendar days after the date of the issuance of the violation notice shall be prohibited from renewing his driver's license. This shall be communicated to the registered owner in the notice of delinquency sent 30 days after the issuance of the notice of violation. The office of motor vehicles shall be notified of this delinquency. Upon notice from a violation clerk, the office of motor vehicles shall place the matter on record and shall not renew the driver's license of the registered owner or the registration of the vehicle until after notice from the violation clerk that the matters have been disposed of in accordance with law.

(Amends R.S. 47:820.5.4(F) and (G)(1)(a); Adds R.S. 47:820.5.4(B)(8) and (9))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Transportation, Highways and Public Works to the original bill.

1. Made technical changes.
2. Removed amendments to statutory provision regarding toll violations on the Crescent City Connection.