

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Gallot to Engrossed House Bill No. 285 by Representative St. Germain

1 AMENDMENT NO. 1

2 On page 1, line 2 after "R.S. 32:413.1(E)(3)" insert "and 414(R), and R.S. 47:296.2(A),"

3 AMENDMENT NO. 2

4 On page 1, line 2 after "attendance" insert "and economic hardship"

5 AMENDMENT NO. 3

6 On page 1, line 4 after "valid;" insert "to require an investigation and issuance of an
7 economic hardship license under certain circumstances if a driver's license has been
8 suspended or renewal denied for unpaid individual income tax; to provide for certain
9 limitations;"

10 AMENDMENT NO. 4

11 On page 1, line 6 after "R.S. 32:413.1(E)(3)" delete "is" and insert "and 414(R) and R.S.
12 47:296.2(A) are"

13 AMENDMENT NO. 5

14 On page 1, after line 17 insert the following:

15 §414. Suspension, revocation, renewal, and cancellation of licenses; judicial review

16 * * *

17 R.(1) The secretary of the Department of Public Safety and Corrections shall
18 suspend and deny the renewal of a taxpayer's driver's license when notified by the
19 Department of Revenue that the department has an assessment or judgment against
20 the individual that has become final and nonappealable.

21 ~~(2)~~ The reinstatement and renewal of a taxpayer's driver's license shall be
22 denied until such time as the individual has paid or made arrangements to pay the
23 delinquent tax, interest, penalty, and all costs and the Department of Revenue
24 notifies the Department of Public Safety and Corrections, office of motor vehicles,
25 of the payment or arrangement to pay.

26 ~~(3)~~ (2) The Department of Public Safety and Corrections, office of motor
27 vehicles, shall ~~not~~ issue an economic hardship license when an individual's driver's
28 license is suspended and has not been renewed under the provisions of this Section,
29 if the licensee alleges that suspension of his driving privileges will deprive him or
30 his family from earning a livelihood. The Department of Public Safety and
31 Corrections, office of motor vehicles, in conjunction with the Department of
32 Revenue, shall promptly investigate the allegation made by the licensee. If the office
33 of motor vehicles finds the allegation to be true, the office of motor vehicles shall
34 issue an economic hardship license for the period of the suspension provided for in
35 R.S. 47:296.2. The economic hardship license shall authorize the licensee to operate
36 a motor vehicle on streets or watercraft or waterways of the state which enable the
37 licensee to earn his livelihood and such operation shall be restricted to times during
38 which he is involved in earning a livelihood. The licensee shall be responsible for
39 promptly notifying the office of motor vehicles and the Department of Revenue if,
40 during the period of suspension, any circumstance changes which necessitates a
41 change in the original restrictions imposed by the office of motor vehicles. Notice
42 of the restriction shall be attached to the license.

43 * * *

44 Section 2. R.S. 47:296.2(A) is hereby amended and reenacted to read as follows:

1 §296.2. Suspension and denial of renewal of drivers' licenses; economic hardship
2 license; restrictions

3 A.(1) ~~A suspension and driver's license shall be suspended or renewal of a~~
4 driver's license shall be denied if the Department of Revenue has an assessment or
5 judgment against an individual that has become final and nonappealable if the
6 amount of the final assessment or final judgment is in excess of one thousand dollars
7 of individual income tax, exclusive of penalty, interest, costs, and other charges.

8 (2) However, if the licensee alleges that suspension of his driving privileges
9 will deprive him or his family from earning a livelihood, the Department of Revenue,
10 in conjunction with the Department of Public Safety and Corrections, office of motor
11 vehicles, shall promptly investigate the allegation made by the licensee. If the
12 allegation is found to be true, the licensee shall be issued an economic hardship
13 license for the period of the suspension provided for in Subsection B of this Section.
14 The economic hardship license shall authorize the licensee to operate a motor vehicle
15 on streets or watercraft or waterways of the state which enable the licensee to earn
16 his livelihood and such operation shall be restricted to times during which he is
17 involved in earning a livelihood. The licensee shall be responsible for promptly
18 notifying the office of motor vehicles and the Department of Revenue if, during the
19 period of suspension, any circumstance changes which necessitates a change in the
20 original restrictions imposed by the office of motor vehicles.

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