

2015 Regular Session

HOUSE BILL NO. 593

BY REPRESENTATIVE TERRY LANDRY

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

MTR VEHICLE/INSPECTION: To provide for automation of the motor vehicle inspection process

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19

AN ACT

To amend and reenact R.S. 32:1305(A) and 1306(E), relative to motor vehicle inspection certificates and stations; to authorize the Department of Public Safety and Corrections, public safety services, to develop a system of electronic filing of inspection certificates; to provide for the requirements of such a system; to authorize the Department of Public Safety and Corrections, public safety services, to establish fees for motor vehicle inspection violations; to provide for effective dates; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 32:1305(A) and 1306(E) are hereby amended and reenacted to read as follows:

§1305. Appointment of official inspection stations

A.(1) For the purpose of making inspections and issuing official certificates of inspection and approval as provided ~~herein the director~~ in this Chapter, the Department of Public Safety and Corrections, public safety services, referred to as "department" in this Subsection, shall issue permits for and furnish instructions and all necessary forms to official inspection stations for the inspection of vehicles as ~~herein~~ required in this Chapter and the issuance of official certificates of inspection and approval.

1           (2) Subject to an appropriation of funds for this purpose, the Department of  
2           Public Safety and Corrections, public safety services, may develop a system of  
3           electronic filing of inspection information and print on-demand motor vehicle  
4           inspection certificates.

5           (3) The system authorized by Paragraph (2) of this Subsection shall meet the  
6           following requirements:

7           (a) Such system shall interface with the Department of Public Safety and  
8           Corrections, public safety services, vehicle registration system and shall update all  
9           vehicle records with each inspection. The department shall provide requirements for  
10          the inspection information which shall be added to a vehicle record.

11          (b) The print on-demand feature shall print a new inspection certificate after  
12          the station has verified through an electronic interface that the vehicle complies with  
13          all inspection requirements for the class and type of vehicle and after the station has  
14          verified that the appropriate fee has been collected. The print on-demand inspection  
15          certificate shall contain such information and security features as necessary to deter  
16          unofficial or fraudulent stickers and to prevent the placement of the certificate on a  
17          vehicle other than the vehicle inspected.

18          (c) A mechanism for the submission of the state's portion of the inspection  
19          fee; such as, electronic funds transfer, making the state's payment processing system  
20          available to the station, or other such methods as the department may deem  
21          appropriate.

22          (4) Any request for proposal issued for the system authorized by Paragraph  
23          (2) of this Subsection shall require the following:

24          (a) That each station shall contract with the department's vendor for the  
25          acquisition of any hardware, software, or supplies necessary to implement the system  
26          of electronic filing of inspection information and print on-demand motor vehicle  
27          inspection stickers and connect to the system. The department shall approve the  
28          form of the contract. Such contract shall be subject to the vendor's contract with the  
29          state and shall be governed by the laws of Louisiana.

1            (b) That the vendor's system shall not retain or capture personal identifying  
 2            information either from the department's system or from data entered at the  
 3            inspection station.

4            (5) The department shall establish specifications or minimum requirements  
 5            for any station supplied hardware or software used to connect to the system  
 6            authorized by Paragraph (2) of this Subsection including but not limited to the  
 7            minimal level of acceptable internet connection.

8            (6) After the system authorized by Paragraph (2) of this Subsection is  
 9            implemented, but no sooner than two years after implementation, the department  
 10           may establish a system of administrative fines to be assessed against the registered  
 11           owner of any vehicle if the vehicle record shows a lapse of a valid inspection sticker  
 12           for a period of more than sixty days. Defenses to such fines shall include that the  
 13           vehicle was sold or otherwise transferred, the vehicle is registered in another state,  
 14           or the owner submitted an affidavit of non-operation within sixty days of the  
 15           expiration of the last valid inspection and approval issued for the vehicle. Any fines  
 16           established shall not exceed twice the amount of the fee for the inspection certificate  
 17           for a particular vehicle.

18           (7) The department shall promulgate rules and regulations as are necessary  
 19           and in accordance with the Administrative Procedure Act to implement this  
 20           Paragraph.

21    \*           \*           \*

22           §1306. Operation of official inspection stations

23    \*           \*           \*

24           E. ~~The~~ Until such time as a system of electronic filing of inspection  
 25           information and print on-demand motor vehicle inspection certificates is  
 26           implemented, the office of motor vehicles shall distribute motor vehicle inspection  
 27           stickers to each district office throughout the state and shall make such stickers  
 28           available for purchase by certified motor vehicle inspection stations during normal  
 29           business hours. The stickers shall be in convenient book form and shall be sold in

1 such practical increments as will not present a financial hardship to low volume  
2 stations. Motor vehicle inspection stickers shall not be distributed to each district  
3 office throughout the state or made available for purchase when a system of  
4 electronic filing or inspection information and print on-demand motor vehicle  
5 inspection certificates is implemented.

6 \* \* \*

7 Section 2. This Act shall become effective upon signature by the governor or, if not  
8 signed by the governor, upon expiration of the time for bills to become law without signature  
9 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
10 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
11 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. 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)]

---

HB 593 Reengrossed                      2015 Regular Session                      Terry Landry

**Abstract:** Authorizes the automation of the motor vehicle inspection certificate process upon appropriation of funds for this purpose.

Present law provides for a system of motor vehicle inspections whereby authorized inspection stations purchase books of inspection certificates with certificates to issue to motor vehicles which pass inspection and for which appropriate fees are received.

Proposed law authorizes the Dept. of Public Safety and Corrections (DPS&C), public safety services, subject to an appropriation of funds for such purpose, to develop a system of electronic filing on inspection information and print on demand motor vehicle inspection certificates (system).

Proposed law establishes the following minimum requirements for such system:

- (1) The system shall interface with DPS&C's vehicle registration system and update vehicle records with each inspection.
- (2) The print on-demand feature of the system shall print a new inspection certificate after the station has verified through an electronic interface that the vehicle complies with all inspection requirements and the appropriate fee has been collected.
- (3) The print on-demand inspection certificate shall contain information and security features as necessary to deter unofficial or fraudulent stickers, or to prevent the placement of the certificate on a vehicle other than the vehicle inspected.

- (4) A mechanism for the submission of the state's portion of the inspection fee; such as, electronic funds transfer, making the state's payment processing system available to the station, or other such methods as the department may deem appropriate.

Proposed law requires the following as minimum requirements for any request for proposal for such system:

- (1) The station shall contract with the department's vendor for the acquisition of any hardware, software, or supplies necessary to implement the system, and connect to the system. DPS&C shall approve the form of the contract. Such contract shall be subject to the vendor's contract with the state and shall be governed by the laws of Louisiana.
- (2) The vendor's system shall not retain or capture personal identifying information either from the department's system or from data entered at the inspection station.

Proposed law specifies that two years after implementation of the system the DPS&C may establish a system of administrative fines to be assessed against the registered owner of any vehicle if the vehicle record shows a lapse of a valid inspection sticker for a period of more than 60 days. Specifies that the fines established cannot exceed twice the amount of the fee for the inspection certificate for a particular vehicle.

Present law requires the office of motor vehicles to distribute motor vehicle inspection stickers to each district office throughout the state and make such stickers available for purchase by certified motor vehicle inspection stations during normal business hours. Requires the stickers to be in convenient book form and be sold in such practical increments as will not present a financial hardship to low volume stations.

Proposed law provides that the office of motor vehicles shall not distribute motor vehicle inspection stickers to each district office in the state or make such stickers available for purchase when the system authorized by proposed law is implemented.

(Amends R.S. 32:1305(A) and 1306(E))

#### Summary of Amendments Adopted by House

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

1. Authorize rather than require the Dept. of Public Safety and Corrections, public safety services, to develop a system of electronic filing of inspection information and print on demand motor vehicle inspection certificates (system).
2. Provide that the development of such system shall be subject to an appropriation of funds for such system.
3. Add provisions to require any request for proposal for such system to meet certain requirements.
4. Add a provision that requires the print on-demand certificate contain security features to deter fraud and prevent unauthorized inspection certificates.
5. Remove the Dec. 31, 2016, deadline for system to be in place.
6. Remove repeal of requirement for the office of motor vehicles to distribute motor vehicle inspection stickers to each district office throughout the state.

7. Add that the office of motor vehicles shall not distribute motor vehicle inspection stickers to each district office in the state or make such stickers available for purchase when the system authorized by proposed law is implemented.

The House Floor Amendments to the engrossed bill:

1. Make technical changes.