
DIGEST

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HB 747 Reengrossed

2016 Regular Session

White

Abstract: Authorizes the Dept. of Public Safety and Corrections, public safety services, to issue cease and desist orders to persons administering skills tests in violation of law.

Present law provides the Dept. of Public Safety and Corrections, public safety services, may contract with or license another state, an employer, a private driver training facility, driver education course provider, or other private institution, or a department, agency, or instrumentality of a local government to administer skills tests.

Proposed law requires a third party tester or third party examiner with whom the Dept. of Public Safety and Corrections, public safety services, has a contract with or to whom has issued a license to administer the skills test for a commercial driver's license or an endorsement on a commercial driver's license in accordance with state and federal statutes and regulations and policies adopted by the Dept. of Public Safety and Corrections, public safety services, in accordance with such statutes and regulations.

Proposed law prohibits a person or business from operating, advertising, or holding oneself or itself out as a third party tester or a third party examiner unless such person or business has a current contract with the Dept. of Public Safety and Corrections, public safety services, to operate as a third party tester or a third party examiner or is currently licensed by the Dept. of Public Safety and Corrections, public safety services, to operate as a third party tester or a third party examiner.

Proposed law authorizes the Dept. of Public Safety and Corrections, public safety services, to issue cease and desist orders to persons operating as a third party tester or a third party examiner without a contract with or license from the Dept. of Public Safety and Corrections, public safety services, or to a third party tester or a third party examiner who is operating in violation of present or proposed law.

Proposed law authorizes the Dept. of Public Safety and Corrections, public safety services, to promulgate administrative rules to implement proposed law as it relates to the issuance of a cease and desist order authorized by proposed law.

(Amends R.S. 32:408.1(into. para.), (4), (5), and (6); Adds R.S. 32:408.1(B), (C), (D), (E), and (F))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Transportation, Highways and

Public Works to the original bill:

1. Makes technical changes.

The House Floor Amendments to the engrossed bill:

1. Remove proposed law relating to prohibited activity.
2. Require a third party tester or third party examiner with whom the Dept. of Public Safety and Corrections, public safety services, has a contract with or to whom has issued a license to administer the skills test for a commercial driver's license or an endorsement on a commercial driver's license in accordance with state and federal statutes and regulations and policies adopted by the Dept. of Public Safety and Corrections, public safety services, in accordance with such statutes and regulations.
3. Prohibit a person or business from operating, advertising, or holding oneself or itself out as a third party tester or a third party examiner unless such person or business has a current contract with the Dept. of Public Safety and Corrections, public safety services, to operate as a third party tester or a third party examiner or is currently licensed by the Dept. of Public Safety and Corrections, public safety services, to operate as a third party tester or a third party examiner.
4. Make technical changes.