



1           WHEREAS, the office of motor vehicles reached back to 1986, a period of thirty  
2 years, to pursue debt collections; and

3           WHEREAS, insured motorists are required only to retain documentation regarding  
4 their automobile liability insurance for three years; and

5           WHEREAS, the legislature recognizes the critical importance of the driving public  
6 maintaining motor vehicle liability security and also that the fee structure for failure to  
7 maintain minimum security should discourage violations; and

8           WHEREAS, the legislature further recognizes that any fee structure for failure to  
9 maintain security cannot be so onerous that the average citizen is unable to pay; and

10          WHEREAS, the office of motor vehicles avers that it is not authorized to forgive or  
11 compromise any debt owed, regardless of the time period elapsed since the noncompliance  
12 occurred or the age of the debt; and

13          WHEREAS, prior to the authorization provided for in Act No. 414 of the 2015  
14 Regular Session of the Legislature, the collection of these fees owed to the state was  
15 dependent upon customer compliance following the initial notice from the office of motor  
16 vehicles; and

17          WHEREAS, the office of motor vehicles began to refer debt for reinstatement fees  
18 as a result of violations of the requirement to maintain compulsory motor vehicle liability  
19 security to the Department of Revenue, office of debt recovery, in November 2015; and

20          WHEREAS, there has been a public outcry and numerous constituent complaints and  
21 concerns regarding the fees and fee notices; and

22          WHEREAS, legislation addressing these issues was introduced during the 2016  
23 Regular Session of the Legislature; and

24          WHEREAS, in the future, the office of motor vehicles will begin collection efforts  
25 for other violations, including failure to appear violations, false declaration violations, and  
26 proof of insurance violations, and its collection practices regarding these matters may give  
27 rise to similar concerns; and

28          WHEREAS, Senate Bill No. 400 of the 2016 Regular Session of the Legislature  
29 would have provided a debt amnesty program that would have significantly reduced the  
30 reinstatement fee for affected motorists; and

1           WHEREAS, the bill was deferred in order to study and obtain additional necessary  
2 information on these issues and the potential effects.

3           THEREFORE, the Legislature of Louisiana requests that the Senate Committee on  
4 Transportation, Highways, and Public Works and the House Committee on Transportation,  
5 Highways, and Public Works conduct a study jointly to consider the following:

6           (1) Whether some form of amnesty program is appropriate to assist Louisiana  
7 citizens to clear their past due debt, and, if so, the particular requirements of such program,  
8 including what the payment provisions and the reinstatement fees should be under an  
9 amnesty program.

10          (2) Whether the office of motor vehicles should be granted the authority to  
11 compromise past due obligations, and, if so, what the parameters of its compromise authority  
12 should be.

13          (3) The length of time that office of motor vehicles should be able to pursue final  
14 debt.

15          (4) The efficacy of the office of motor vehicles' current notification system to  
16 individuals whose vehicle security coverage lapses.

17          (5) The appropriate time period that security providers and insureds should be  
18 required to retain documentation regarding vehicle security.

19          (6) Any other related matters involving the assessment and collection of any fee  
20 imposed by the office of motor vehicles, including the form of notice to debtors and  
21 prescriptive period applicable to the debt.

22          The Senate Committee on Transportation, Highways, and Public Works and the  
23 House Committee on Transportation, Highways, and Public Works shall develop  
24 recommendations to be submitted to the legislature on or before February 1, 2017.

25          A copy of this Study Request shall be transmitted to the commissioner of the  
26 Department of Public Safety and Corrections, office of motor vehicles, and the secretary of  
27 the Department of Revenue.

