

**RÉSUMÉ DIGEST****ACT 293 (HB 747)****2016 Regular Session****White**

Existing 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.

New 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.

New 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.

New 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 existing or new law.

New law authorizes the department to file a petition for injunctive relief if a person or business subject to the cease and desist order cannot be served, or does not comply with the cease and desist order.

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

Effective August 1, 2016.

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