

2018 Regular Session

SENATE BILL NO. 440

BY SENATOR MORRELL

MUNICIPALITIES. Provides for specific procedures before a motor vehicle can be immobilized by a municipality for unpaid fines. (8/1/18)

AN ACT

To amend and reenact R.S. 32:472, relative to motor vehicles; to provide for specific procedures to be followed before a motor vehicle can be immobilized by a municipality; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 32:472 is hereby amended and reenacted to read as follows:

§472. Parking motor vehicles; seizure of; immobilizing of; payment of costs

A. If any motor vehicle, in any municipality in this state, is seized or otherwise held by any policeman or other officer employed by said municipality for illegal parking, stationing or abandoning of such motor vehicle or for the violation of any traffic ordinance or regulation of the municipality, the owner shall be entitled to regain possession thereof upon payment of such costs as may be fixed by the policing authority of the municipality for the violation. The costs so fixed shall cover all charges for removing the vehicle to the place of holding and all other costs incurred during the period of holding.

**B. Notwithstanding any other provision of law to the contrary, before immobilizing a motor vehicle for unpaid parking fines, a municipality shall**

1        **notify the registered owner, in writing, by mailing a copy of the final notice of**  
2        **finer due by certified mail, return receipt to the registered owner's last known**  
3        **address. If the registered owner does not resolve the unpaid fines within fifteen**  
4        **days after receiving the final notice of fines due, the municipality may**  
5        **immobilize the motor vehicle upon the showing of proof that it has in its**  
6        **possession the return receipt executed by the registered owner.**

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The original instrument and the following digest, which constitutes no part  
of the legislative instrument, were prepared by Michael Bell.

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SB 440 Original	DIGEST 2018 Regular Session	Morrell
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Present law provides that in any municipality in this state, when a motor vehicle is seized or otherwise held by any policeman or other officer employed by said municipality for illegal parking, stationing or abandoning of such motor vehicle or for the violation of any traffic ordinance or regulation of the municipality, the owner shall be entitled to regain possession thereof upon payment of such costs as may be fixed by the policing authority of the municipality for the violation.

Proposed law retains present law.

Proposed law requires a municipality to notify the registered owner, in writing, by mailing a copy of the final notice of fines due by certified mail, return receipt to the registered owner's last known address. Proposed law further provides that if the registered owner does not resolve the unpaid fines within 15 days after receiving the final notice of fines due, the municipality may immobilize the motor vehicle upon the showing of proof that it has in its possession the return receipt executed by the registered owner.

Effective August 1, 2018.

(Amends R.S. 32:472)