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**HOUSE COMMITTEE AMENDMENTS**

2018 Regular Session

Substitute for Original House Bill No. 637 by Representative Hunter as proposed by the House Committee on Transportation, Highways and Public Works

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**This document reflects the content of a substitute bill but is not in a bill form; page numbers in this document DO NOT correspond to page numbers in the substitute bill itself.**

To amend and reenact R.S. 32:667(A)(2), relative to the seizure of licenses for persons cited for driving while intoxicated; to provide for an extension of the time for which to appeal to the district court; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 32:667(A)(2) is hereby amended and reenacted to read as follows:

§667. Seizure of license; circumstances; temporary license

A.

\* \* \*

(2)(a) The temporary receipt shall also provide and serve as notice to the person that he has not more than thirty days from the date of arrest to make written request to the Department of Public Safety and Corrections for an administrative hearing in accordance with the provisions of R.S. 32:668.

(b) In the event the arrested person was unable to make a timely request for an administrative hearing during the thirty day period provided for in Subparagraph (a) of this Paragraph due to incarceration, hospitalization, or any other cause acceptable to the department, the person may submit such documentation to the department which shall establish the person's inability to timely request an administrative hearing. Any request for an administrative hearing pursuant to this Subparagraph shall be submitted no later than ninety days from the date of arrest. The department shall promulgate such rules as are necessary to implement this Subparagraph including a rule defining what is acceptable documentation to establish the person's inability to make a timely request for an administrative hearing. The denial of an administrative hearing request made pursuant to Subparagraph (b) of this

Paragraph may be reviewed in the same manner and under the same conditions as is provided in R.S. 32:668(C).

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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)]

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HB Draft

2018 Regular Session

**Abstract:** Authorizes an extension of the time period for which a person can apply for an administrative hearing.

Present law grants any person 30 days from the date of arrest for a violation of operating a vehicle while intoxicated to make written request to the Dept. of Public Safety and Corrections for an administrative hearing in accordance with the provisions of present law.

Proposed law provides an extension of this thirty day period for any person unable to make a timely request for an administrative hearing due to incarceration, hospitalization, or other acceptable cause to the department. Further provides that the person must submit such documentation to the department which shall establish the person's inability to request the administrative hearing.

Proposed law requires any request for an administrative hearing pursuant to proposed law must be submitted no later than 90 days form the date of arrest.

Proposed law requires the Dept. of Public Safety and Corrections to promulgate rules as are necessary for the implementation of proposed law.

(Amends R.S. 32:667(A)(2))