

2021 Regular Session

HOUSE BILL NO. 536

BY REPRESENTATIVE PHELPS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

MTR VEHICLE/VIOLATIONS: Provides relative to sanctions for a lapse in required liability security

1 AN ACT

2 To amend and reenact R.S. 32:863(A)(3)(a), relative to sanctions applicable to violations of  
3 required liability security; to modify the lapse period applicable to sanctions for  
4 lapse of required liability security; to provide for rule promulgation; to provide for  
5 an effective date; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 32:863(A)(3)(a) is hereby amended and reenacted to read as follows:

8 §863. Sanctions for false declaration; reinstatement fees; revocation of registration;  
9 review

10 A.

11 \* \* \*

12 (3)(a) Sanctions for a violation of Paragraph (1) of this Subsection shall be  
13 imposed until proof of required liability security is provided to the secretary and all  
14 reinstatement fees are paid. Sanctions for a violation of Paragraph (2) of this  
15 Subsection shall be imposed for a period of not less than twelve months nor more  
16 than eighteen months. However, in no event shall these sanctions be removed until  
17 such time as proof of the required security is provided to the secretary along with all  
18 appropriate fees required by law, including a reinstatement fee of one hundred  
19 dollars per violation of Paragraph (1) of this Subsection if the vehicle was not  
20 covered by the required security for a period of one to thirty days, two hundred fifty



- 1 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
 2 effective on the day following such approval.

---

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)]

---

HB 536 Reengrossed

2021 Regular Session

Phelps

**Abstract:** Changes the number of days that trigger the imposition of sanctions for lapse of required vehicle insurance liability.

Present law requires the secretary, upon a determination that a vehicle is not covered by security as required by present law or the owner or lessee has allowed the required security to lapse, to revoke the registration of the vehicle, impound the vehicle, and cancel the vehicle's license plate.

Present law requires sanctions for a violation of present law to be imposed for a period ranging from 12 to 18 months until proof of required liability security is provided to the secretary and all reinstatement fees are paid.

Present law requires a reinstatement fee of \$100 per violation if the vehicle was not covered by the required security for a period of 1-30 days, \$250 per violation if the vehicle was not covered by the required security for a period of 31-90 days, and \$500 per violation if the vehicle was not covered by the required security for a period in excess of 90 days.

Proposed law provides that the reinstatement fee does not apply if the violation is the insured's first violation and the lapse of insurance coverage was for 10 days or less.

Proposed law requires the Dept. of Public Safety and Corrections to adopt and promulgate rules and regulations, in accordance with the Administrative Procedure Act, to bring any existing administrative rules into conformity with the provisions of proposed law.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 32:863(A)(3)(a))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Appropriations to the engrossed bill:

1. Change the number of days that trigger the \$100 per violation penalty if the vehicle was not covered by the required security from 11-30 days to 1-30 days.
2. Provide an exemption from the reinstatement fee if the violation is the insured's first violation and the lapse of insurance coverage was for 10 days or less.