

DIGEST

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HB 415 Original

2022 Regular Session

Marino

Abstract: Removes the exclusion of a law enforcement officer's obligation to appear or testify at an administrative driving privileges hearing and removes the rebuttable presumption applicable to a suspension hearing on certain driving privileges.

Present law requires the Dept. of Public Safety and Corrections to immediately notify the person of certain driving privileges in writing and afford such person an opportunity for a hearing upon request in the same manner and under the same conditions as provided in present law. Specifies that such hearings include the revocation, suspension, or denial of a license or permit. Further, present law provides that such person cannot compel a law enforcement officer to appear or testify at the hearing and provides a rebuttable presumption, strictly construed in favor of such person, of any inconsistencies in evidence submitted by the department and admitted at the hearing.

Proposed law removes the exclusion that no law enforcement officer can be compelled by such person to appear or testify at such hearing and removes the rebuttable presumption, strictly construed in favor of such person, of any inconsistencies in evidence submitted by the department and admitted at the hearing regarding the revocation, suspension, or denial of a license.

(Amends R.S. 32:668(A)(intro. para.))