

HOUSE SUMMARY OF SENATE AMENDMENTS

HB 604

2022 Regular Session

Davis

MOTOR VEHICLES: Provides for the transfer of ownership of a vehicle to an insurer

Synopsis of Senate Amendments

1. Makes technical changes.
2. Modifies the definition of "endorsement" to include the signature of the seller if the certificate of title or other document is transferring ownership to a dealer licensed by the La. Motor Vehicle Commission or La. Used Motor Vehicle Commission, or when transferring ownership from a licensed dealer to a purchaser.
3. Changes the internal citation for the definition of "endorsement" from R.S. 32:702(17) to R.S. 32:702(2) to accurately reference an "authorized officer".
4. Removes the requirement for sworn or notarized statements and a duly certified copy of the statement.

Digest of Bill as Finally Passed by Senate

Present law, in pertinent part, defines "endorsement" as the signature of a seller if the certificate of title or other document transferring ownership to an insurance company is for a motor vehicle which has been declared a total loss by that insurance company.

Proposed law modifies present law to include the signature of a seller if the certificate of title or other document transferring ownership to an insurance company is for a motor vehicle which is the subject of an insurance settlement.

Proposed law also defines "endorsement" as the signature of the seller if the certificate of title or other document is transferring ownership to a dealer licensed by the La. Motor Vehicle Commission or La. Used Motor Vehicle Commission, or when transferring ownership from a licensed dealer to a purchaser.

Proposed law corrects a statutory reference in the definition of "endorsement" by changing it from R.S. 32:702(17) to R.S. 32:702(2) to accurately reference an "authorized officer".

Present law requires an application for certificate of title be accompanied by a proper bill of sale, sworn statement of ownership, or a duly certified copy, or such other evidence of ownership as the commissioner may in his discretion require if a certificate of title has not been previously issued for a vehicle in this state.

Present law requires an application to the Dept. of Public Safety and Corrections (DCPSC), office of motor vehicles, for a certificate of title and an inspection of the vehicle prior to the registration or sale of the vehicle for any owner who reconstructs or restores a vehicle without salvage title to operating condition prior to being issued a reconstructed title under present law or the laws of another state or who recovers a stolen motor vehicle to include a sworn statement in the form prescribed by the DPSC.

Present law requires every vendor of a vehicle subject to the vehicle registration license tax to be collected furnish to the purchaser at the time of sale a notarized statement showing the serial number, motor number, type, year, and model of the vehicle sold, the total sales price, any allowance for and a description of any vehicle taken in trade, and the total cash difference paid or to be paid by the purchaser between the vehicles purchased and traded in

and the sales or use tax to be paid, along with such other information as the collector of revenue may by regulation require.

Proposed law modifies present law by removing the requirement for sworn or notarized statements and a duly certified copy of the statement.

(Amends R.S. 32:705(B)(3) and (4) and 707(D)(1)(a) and (J)(1)(c)(introductory paragraph) and R.S. 47:303(B)(2); Adds R.S. 32:705(B)(5))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Transportation, Highways and Public Works to the original bill:

1. Make technical changes.
2. Modify the meaning of "endorsement" in present law to include the signature of a seller if the certificate of title or other document transferring ownership to an insurance company is for a motor vehicle which is the subject of an insurance settlement.

The House Floor Amendments to the engrossed bill:

1. Make technical changes.
2. Remove a provision that provides that a transfer of ownership of a vehicle to an insurer, resulting from the settlement of a total loss claim, does not require a notarized signature on the vehicle's certificate of title.
3. Remove a provision that provides that supporting documents required for a transfer of ownership of a vehicle to an insurer, resulting from the settlement of a total loss claim, does not require a notarized signature, if signed electronically at a National Institute of Standards (NIST) Level 2 or higher authentication.