

HOUSE SUMMARY OF SENATE AMENDMENTS

HB 790

2022 Regular Session

Hollis

MOTOR VEHICLES: Provides relative to certificate of ownership and salvage title for motor vehicles declared to be a total loss

Synopsis of Senate Amendments

1. Modifies a provision of proposed law that provides alternative requirements for an insurance company or its authorized agent to submit proof of any satisfied lien not released from within seven days of satisfaction to after sixty days from the date of the loss.
2. Modifies a provision of proposed law that provides alternative requirements for an insurance company or its authorized agent to submit proof of any satisfied lien not released by requiring evidence of two attempts to contact the lienholder as provided in present law.
3. Adds a requirement that the insurance company sign a hold harmless affidavit, on a form approved by the department. Further provides an option for the office of motor vehicles to charge a fee of no more than one hundred dollars for each transaction.
4. Makes technical changes.

Digest of Bill as Finally Passed by Senate

Present law provides the requirements for an application for certificates of title, including salvage title.

Present law specifies when, as the result of an insurance settlement, a motor vehicle is declared to be a "total loss", as defined in present law, the insurance company, its authorized agent, or the vehicle owner shall, within 30 days from the settlement of the property damages claim, send the certificate of title, properly endorsed, to the office of motor vehicles along with an application for a salvage title in the name of the insurance company, or its authorized agent, or the vehicle owner.

Present law provides the requirements for when an insurance company or its authorized agent may submit an application for a salvage title and signed under penalty of perjury.

Proposed law retains present law and adds alternative requirements when a lien has not been released within after 60 days from the date of the loss.

Proposed law specifies an insurance company or its authorized agent may submit proof of full payment, a copy of the most recent letter of guarantee from each holder of a lien that has not been released indicating the payoff amount, and evidence of two attempts to contact the lienholder as provided in present law.

Proposed law specifies if payment is made by check, proof of payment must consist of the front and back of the paid check listing all endorsements of the named payees. Further specifies the evidence needed for electronic transfer payments, including a screenshot of payment submissions along with a certification the payment was not returned.

Proposed law requires that the insurance company sign a hold harmless affidavit, on a form approved by the department. Further provides an option for the office of motor vehicles to charge a fee of no more than \$100 for each transaction.

(Amends R.S. 32:707(I)(1)(b)(iv))