

ACT No. 347

2022 Regular Session

HOUSE BILL NO. 669

BY REPRESENTATIVE PIERRE

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AN ACT

To amend and reenact R.S. 32:408.1(E) and R.S. 40:1461(A) and to enact R.S. 15:587(A)(1)(e)(vi) and (vii), relative to background checks of private training or private driving instructor training schools or agencies; to provide for a criminal history background check of every person engaged in private driving instructor training school or agency; to provide for noncommercial driving examinations or tests; to modify the procedure for a criminal history background check of the principal of the third-party examiner or tester; to define the term " criminal history background check"; to provide for fingerprints and other identifying information; to require the office of motor vehicles to execute a thorough background investigation to be conducted by the Louisiana Bureau of Criminal Identification and Information; to provide for the cost of fingerprint cards; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 15:587(A)(1)(e)(vi) and (vii) are hereby enacted to read as follows:

§587. Duty to provide information; processing fees; Louisiana Bureau of Criminal Identification and Information

A.(1)(a)

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(e)

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1 (vi) The office of motor vehicles shall execute a thorough background
 2 investigation, including a criminal history background check of every applicant for
 3 the purpose of verifying the qualifications of the applicant or renewal pursuant to the
 4 requirements of this Section. For purposes of this Item, a "criminal history
 5 background check" shall be defined as a check of all state records of arrest,
 6 prosecution, conviction, including those which have been expunged or dismissed
 7 pursuant to the Code of Criminal Procedure Articles 893 or 894, as well as national
 8 records which shall include fingerprints of the applicant and other identifying
 9 information, if so requested by the department.

10 (vii) The department shall require any current or prospective person engaged
 11 in the business of operating a private driving instructor training school or agency, or
 12 providing driving courses pursuant to R.S. 32:408.1 or R.S. 40:1461 to submit to a
 13 criminal history records check to be conducted by the Louisiana Bureau of Criminal
 14 Identification and Information. Fingerprints and other identifying information from
 15 the current or prospective person engaged in the business of operating a private
 16 driving instructor training school or agency, or providing driving courses shall be
 17 submitted to the bureau. In addition, when the department requests national criminal
 18 history records check, the bureau shall forward the fingerprints to the Federal Bureau
 19 of Investigation for a national criminal history records check and shall provide the
 20 agency with the national criminal history record information of the current or
 21 prospective person engaged in the business of operating a private driving instructor
 22 training school or agency, or providing driving courses pursuant to R.S. 32:408.1 or
 23 R.S. 40:1461. Cost incurred by the department for processing Louisiana State Police
 24 and Federal Bureau of Investigation fingerprint cards shall be borne by the applicant.

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Section 2. R.S. 32:408.1(E) is hereby amended and reenacted to read as follows:

§408.1. Third-party testing; proof of testing

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