2022 Regular Session

ACT No. 347

HOUSE BILL NO. 669

BY REPRESENTATIVE PIERRE

1	AN ACT
2	To amend and reenact R.S. 32:408.1(E) and R.S. 40:1461(A) and to enact R.S.
3	15:587(A)(1)(e)(vi) and (vii), relative to background checks of private training or
4	private driving instructor training schools or agencies; to provide for a criminal
5	history background check of every person engaged in private driving instructor
6	training school or agency; to provide for noncommercial driving examinations or
7	tests; to modify the procedure for a criminal history background check of the
8	principal of the third-party examiner or tester; to define the term " criminal history
9	background check"; to provide for fingerprints and other identifying information; to
10	require the office of motor vehicles to execute a thorough background investigation
11	to be conducted by the Louisiana Bureau of Criminal Identification and Information;
12	to provide for the cost of fingerprint cards; and to provide for related matters.
13	Be it enacted by the Legislature of Louisiana:
14	Section 1. R.S. 15:587(A)(1)(e)(vi) and (vii) are hereby enacted to read as follows:
15	§587. Duty to provide information; processing fees; Louisiana Bureau of Criminal
16	Identification and Information
17	A.(1)(a)
18	* * *
19	(e)
20	* * *

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

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

* * *

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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1	E. The principal of the third-party examiner of tester who has of is seeking
2	a contract with the Department of Public Safety and Corrections, public safety
3	services, to administer commercial or noncommercial driving examinations and tests
4	shall consent to, pass, and pay the costs of an annual a criminal history background
5	check pursuant to R.S. 15:587.
6	* * *
7	Section 3. R.S. 40:1461(A) is hereby amended and reenacted to read as follows:
8	§1461. Requirements for private training and driving instructor schools
9	A.(1) Every person engaged in the business of operating a private driving
10	instructor training school or agency, or providing driving courses, shall apply for and
11	procure a license from the Department of Public Safety and Corrections, public
12	safety services. No person shall advertise or otherwise hold himself before the
13	public, for remuneration, as qualified, licensed, or otherwise approved to train or
14	instruct without having first obtained a license or contract with the Department of
15	Public Safety and Corrections, public safety services.
16	(2) Every person engaged in the business of operating a private driving
17	instructor training school or agency, or providing driving courses who has or is
18	seeking a contract or license with the Department of Public Safety and Corrections,
19	public safety services, shall consent to, pass, and pay the costs of a criminal history
20	background check pursuant to R.S. 15:587.
21	* * *
	SPEAKER OF THE HOUSE OF REPRESENTATIVES
	PRESIDENT OF THE SENATE
	GOVERNOR OF THE STATE OF LOUISIANA
	APPROVED:

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