AN ACT

To amend and reenact R.S. 32:414(R)(1) and 415(C)(1) and R.S. 47:296.2(A), (B), and (D), relative to the suspension and denial of renewing a driver's license for the nonpayment of individual income taxes; to provide for notification requirements; to authorize the secretary of the Department of Revenue to adopt rules that increase the threshold for suspension in certain circumstances; to authorize alternatives to suspension; to provide for technical corrections; to prohibit certain penalties for certain violations; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 32:414(R)(1) and 415(C)(1) are hereby amended and reenacted to read as follows:

§414. Suspension, revocation, renewal, and cancellation of licenses; judicial review

R.(1) The secretary of the Department of Public Safety and Corrections shall suspend and deny the renewal of a taxpayer's driver's license when notified by the Department of Revenue that the department has an assessment or judgment against the individual that has become final and nonappealable, as provided in R.S. 47:296.2.

§415. Operating vehicle while license is suspended; offenses in other states; record of offenses given other states

C.(1) A person with a Class "D" or Class "E" driver's license who violates the provisions of Subsection A of this Section may be fined up to five hundred dollars...
or imprisoned for not more than six months, or both and may be subject to a civil
penalty of up to one thousand two hundred fifty dollars. A person shall not be
arrested or imprisoned for a violation of this Section due solely to a suspension
imposed pursuant to R.S. 32:414(R)(1).

Section 2. R.S. 47:296.2(A), (B), and (D) are hereby amended and reenacted to read
as follows:

§296.2. Suspension and denial of renewal of drivers' licenses

A. A suspension of driving privileges shall be imposed and renewal of a
driver's license shall be denied if all of the following conditions are met:

(1) The Department of Revenue has an assessment or judgment against an
individual that has become final and nonappealable.

(2) The amount of the final assessment or final judgment is in excess of one
thousand dollars of individual income tax, exclusive of penalty, interest, costs, and
other charges.

(3) The individual has not paid the assessment or judgment.

(4) The individual has not entered into an installment agreement with the
Department of Revenue within ninety days of the date the assessment or
judgment became final and nonappealable.

B. (1) The suspension and denial shall be effective until such time as the
individual has paid or made arrangements to pay the delinquent tax, interest, penalty,
and all costs and the Department of Revenue notifies the Department of Public
Safety and Corrections, office of motor vehicles, of the payment or arrangement to
pay.

(2) Upon payment or arrangement to pay, the Department of Revenue
shall promptly notify the office of motor vehicles and the individual's driving
privileges shall be reinstated without additional action required of the
individual. Notwithstanding any provision of law to the contrary, the office of
motor vehicles shall not impose a fee when reinstating an individual's driving
privileges when a suspension is imposed pursuant to this Section.
(3) The Department of Revenue may enter into an interagency agreement with the office of motor vehicles to reimburse the office of motor vehicles for the actual expenses associated with the license suspensions and reinstatements pursuant to R.S. 32:414(R). One-sixth of such reimbursement shall provide for and continue the existing dedication applicable to reinstatement fees pursuant to R.S. 32:414(H) for emergency medical services.

D. (1) The secretary of the Department of Revenue, in cooperation with the secretary of the Department of Public Safety and Corrections, shall adopt and promulgate rules and regulations in accordance with the provisions of the Administrative Procedure Act to effectuate the orderly and expeditious suspension and denial of renewal and reissuance of drivers’ licenses in accordance with the provisions of this Section.

(2) Notwithstanding the provisions of Subsection A of this Section, the secretary of the Department of Revenue may, by rule, provide for suspension of driver’s license privileges at higher thresholds of individual income tax due based on an individual’s historical compliance with Louisiana tax laws, the facts and circumstances relating to the unpaid tax liability, and may accept surety or other collateral in lieu of suspension of a driver’s license.

Section 3. This Act shall become effective on January 1, 2023.