

2024 Regular Session

HOUSE BILL NO. 475

BY REPRESENTATIVE BOURRIAQUE

1 AN ACT

2 To amend and reenact R.S. 47:532.1(A)(1) and to enact R.S. 47:532.4, relative to digital
3 transaction providers; to authorize the commissioner to enter into agreements related
4 to digitized credentials; to authorize digital transaction providers to collect fees and
5 process applications and transactions; to require review and approval of charges
6 collected; to provide for terms of contracts with digital transaction providers; to
7 require a surety bond and insurance for digital transaction providers; and to provide
8 for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 47:532.1(A)(1) is hereby amended and reenacted and R.S. 47:532.4
11 is hereby enacted to read as follows:

12 §532.1. Public license tag agents; auto title companies; rules and regulations; surety
13 bonds; fees

14 A.(1) The commissioner may establish a system of public license tag agents
15 to collect the registration license taxes authorized by this Chapter. The system shall
16 consist of municipal and parish governing authorities or new motor vehicle dealers
17 or their agents licensed pursuant to the provisions of R.S. 32:1254 and authorized
18 auto title companies pursuant to the provisions of R.S. 32:735 et seq. No persons,
19 natural or juridical, except public license tag agents, auto title companies, financial
20 institutions, licensed new or used car dealers, recreational product dealers, digital
21 transaction providers, state departments, offices, or entities and those included in the
22 system established pursuant to this Section shall collect registration license taxes
23 authorized by this Chapter.

24 * * *

1 §532.4. Digital transaction provider

2 A.(1) The commissioner may enter into an agreement with digital transaction
3 providers, who may be private persons or public or private agencies, for the purpose
4 of carrying out the provisions authorized in R.S. 39:17.2 and R.S. 39:17.5.

5 (2) The Department of Public Safety and Corrections, office of motor
6 vehicles, may deny a contract to any person, natural or juridical, seeking to be a
7 digital transaction provider if that person has been found to be in violation of any
8 rule or regulation promulgated by the Department of Public Safety and Corrections,
9 office of motor vehicles.

10 B.(1) Digital transaction providers may collect the registration and renewal
11 license taxes and fees associated with issuance of vehicle registration, driver's
12 license, or identification cards or for reinstatement of driving and motor vehicle
13 registration privileges.

14 (2) Digital transaction providers shall be authorized to collect a convenience
15 charge not to exceed ninety percent of the amount authorized by R.S. 47:532.1(C),
16 provided that the charges are disclosed immediately to the consumer prior to the
17 initiation of the transaction.

18 (3) The amount of the charge collected by the digital transaction provider
19 shall be subject to review and recommendation by the state treasurer and shall be
20 approved by the Senate Committee on Revenue and Fiscal Affairs and the House
21 Committee on Ways and Means according to the provisions of R.S.
22 49:316.1(A)(2)(c).

23 C. The commissioner may authorize the digital transaction provider to
24 process additional applications or transactions.

25 D. The contract between the Department of Public Safety and Corrections,
26 office of motor vehicles, and a person who contracts to perform services pursuant to
27 this Section shall be for a term of two years and may be automatically renewed by
28 the Department of Public Safety and Corrections, office of motor vehicles.

29 E.(1) Each digital transaction provider shall execute a good and sufficient
30 surety bond with a surety company qualified to do business in Louisiana as surety

1 in a sum of one hundred thousand dollars, if a surety bond is available for purchase,
 2 which bond shall name the Department of Public Safety and Corrections, office of
 3 motor vehicles, as obligee and shall be subject to the condition that, if such digital
 4 transaction provider shall, throughout the entire term of the bond, timely file with the
 5 Department of Public Safety and Corrections, office of motor vehicles, all
 6 applications delivered to such digital transaction provider for filing, and all taxes and
 7 fees collected by such digital transaction provider, the obligation shall be void. If
 8 the company does not do so, the obligation of the surety shall remain in full force
 9 and effect.

10 (2) The surety bond furnished pursuant to this Paragraph shall be delivered
 11 to and filed with the Department of Public Safety and Corrections, office of motor
 12 vehicles.

13 F. Digital transaction providers shall obtain a cyber liability insurance policy
 14 with a company qualified to do business in Louisiana in the amount of one million
 15 dollars, which names the state of Louisiana, the department, the department's
 16 employees, and the office of technology services and its employees as additional
 17 insureds.

18 G. The commissioner shall promulgate rules necessary to implement the
 19 provisions of this Section.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA