

2024 Regular Session

HOUSE BILL NO. 923

BY REPRESENTATIVE BOYER

1 AN ACT

2 To amend and reenact R.S. 40:1461(B), (C), and (D) and to enact R.S. 40:1461(G), relative
3 to rules and regulations for the commissioner of the office of motor vehicles; to
4 provide for the issuance, suspension, or revocation of licenses or contracts; to
5 establish fines for penalties; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 40:1461(B), (C), and (D) are hereby amended and reenacted and R.S.
8 40:1461(G) is hereby enacted to read as follows:

9 §1461. Requirements for private training and driving instructor schools

10 * * *

11 B. Every person desiring to train or instruct in driving courses shall file a
12 written application with the ~~deputy secretary~~ commissioner.

13 C. The commissioner ~~deputy secretary~~ of the ~~Department of Public Safety~~
14 ~~and Corrections, public safety services~~ office of motor vehicles, shall establish rules
15 and regulations ~~governing the issuance and revocation of requirements and~~
16 ~~qualifications of each applicant and enumerating the terms of the contract and causes~~
17 ~~of suspension or revocation of the contract and possible fines for violations~~
18 ~~committed thereunder~~ in accordance with the Administrative Procedure Act subject
19 to oversight review by the House and Senate committees on transportation,
20 highways, and public works, for the following:

21 (1) The issuance, suspension, or revocation of licenses.

22 (2) The requirements and qualifications of each applicant for a contract.

1 (3) The establishment of the terms, manner, and location of instruction and
 2 testing.

3 (4) The establishment of the causes of suspension or revocation of the
 4 license and contract and the imposition of a fine not to exceed one thousand five
 5 hundred dollars, pursuant to a schedule, for any violation of statutory law, rules, and
 6 regulations or the terms of the contract.

7 D. The ~~deputy secretary~~ commissioner shall charge a fee of twenty-five
 8 dollars for each school or agency. The ~~deputy secretary~~ commissioner shall charge
 9 a fee of ten dollars for each additional instructor the school or agency may employ.

10 * * *

11 G. For purposes of this Section as it relates to a driving instructor training
 12 school or agency for a Class D or E license, or a person providing driving courses
 13 for a Class D or E license, the following words and phrases shall have the meaning
 14 ascribed to them in this Section, unless the context clearly indicates a different
 15 meaning:

16 (1) "Principal" means a person or provider who has the primary responsibility
 17 for a driver education program at a school or agency.

18 (2) "Third-party tester" means a person or entity licensed to provide driving
 19 courses who has executed a contract with the department to administer knowledge
 20 and road-skills tests required by Louisiana law for driver's license issuance.

21 (3) "Third-party examiner" means a person employed by a third-party tester
 22 who is licensed as an instructor and is also authorized by a contract with the state to
 23 administer the knowledge and road-skills test for Class D and E licenses.

24 (4) "Engaged in the business of operating a private driving instructor training
 25 school or agency" means any person or entity who applies to or contracts with the
 26 office of motor vehicles to operate a driving instructor training school or agency
 27 pursuant to R.S. 32:408.1 or R.S. 40:1461 and any current or prospective employee

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

- 1 who works the business including but not limited to an instructor, an examiner, or
- 2 any staff member who has access to the students' records.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____