

RÉSUMÉ DIGEST

ACT 579 (HB 923)

2024 Regular Session

Boyer

Prior law required every person desiring to train or instruct in driving courses file a written application with the deputy secretary.

New law requires the written application be filed with the commissioner instead of the deputy secretary.

Prior law required the deputy secretary of the Dept. of Public Safety and Corrections, public safety services, to establish rules and regulations governing the issuance and revocation of requirements and qualifications of each applicant and enumerating the terms of the contract and causes of suspension or revocation of the contract and possible fines for violations in accordance with the Administrative Procedure Act and subject to oversight review by the House and Senate committees on transportation, highways and public works.

New law changes the governing authority from the deputy secretary to the commissioner and changes the Dept. of Public Safety and Corrections, public safety services to the office of motor vehicles.

New law changes the provisions that establish rules and regulations governing the issuance and revocation of requirements and qualifications of each applicant and enumerating the terms of the contract and causes of suspension or revocation of the contract and possible fines for violations in existing law to the rules and regulations in accordance with the Administrative Procedure Act and subject to oversight review by the House and Senate committees on transportation, highways and public works, for:

- (1) The issuance, suspension, or revocation of licenses.
- (2) The requirements and qualifications of each applicant for a contract.
- (3) The establishment of terms, manner, and location of instruction and testing.
- (4) The establishment of the causes of suspension or revocation of the license and the contract and the imposition of a fine not to exceed \$1,500 pursuant to a schedule, any violation of statutory law, rules, and regulations or the terms of the contract.

Prior law required the deputy secretary charge a fee of \$25 for each school or agency. Additionally, the deputy secretary will charge a fee of \$10 for each additional instructor the school or agency may employ.

New law changes the entity required to collect the charge from the deputy secretary to the commissioner.

New law provides for the following definitions, as it relates to a driving instructor training school or agency for a Class D or E license, or a person providing driving courses for a Class D or E license:

- (1) "Principal" means a person or provider who has the primary responsibility for a driver education program at a school or agency.
- (2) "Third-party tester" means a person or entity licensed to provide driving courses who has executed a contract with the department to administer knowledge and road-skills tests required by Louisiana law for driver's license issuance.
- (3) "Third-party examiner" means a person employed by a third-party tester who is licensed as an instructor and is also authorized by a contract with the state to administer the knowledge and road-skills test for Class D and E licenses.
- (4) "Engaged in the business of operating a private driving instructor training school or agency" means any person or entity who applies to or contracts with the office of

motor vehicles to operate a driving instructor training school or agency pursuant to present law and any current or prospective employee who works the business including but not limited to an instructor, an examiner, or any staff member who has access to the students' records.

Effective August 1, 2024.

(Amends R.S. 40:1461(B), (C) and (D); Adds R.S. 40:1461(G))