

Regular Session, 2013

SENATE BILL NO. 98

BY SENATOR NEVERS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

MOTOR VEHICLES. Requires that over-the-counter applications for motor vehicle certificates of title be made only to a public license tag agent. (1/1/14)

1 AN ACT

2 To amend and reenact R.S. 47:532.1(A)(2)(a) and to enact R.S. 47:532.2, relative to public
3 license tag agents; to require application for motor vehicle certificates of title to be
4 made to a qualified public license tag agent except by mail; to provide qualifications
5 for licensing certain public license tag agents; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 47:532.1(A)(2)(a) is hereby amended and reenacted and R.S.
8 47:532.2 is hereby enacted to read as follows:

9 §532.1. Public license tag agents; auto title companies; rules and regulations; surety
10 bonds; fees

11 A.(1) * * *

12 (2)(a) The commissioner shall make and publish rules and regulations for the
13 **application for motor vehicle certificates of title with, the** issuance of the
14 registration licenses, **and** for the collection of the registration license taxes **by public**
15 **license tag agents**, and for the implementation and governing of a system of **such**
16 public license tag agents.

17 * * *

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Sharon F. Lyles.

DIGEST

Nevers (SB 98)

Present law requires the commissioner of office of motor vehicles (OMV) to promulgate rules and regulations for issuance of registration licenses, collection of registration license taxes, and to implement and govern a system of public license tag agents.

Present law authorizes public license tag agents to receive and process applications for certificates of title and authorizes public license tag agents to charge a convenience fee not to exceed \$18.

Proposed law provides that any over-the-counter application for a motor vehicle certificate of title shall be made only to a public license tag agent beginning January 1, 2014, except when such application is made by mail to OMV or "dropped off" at an OMV field office for later processing.

Proposed law requires the commissioner to promulgate rules and regulations for applications for motor vehicle certificates of title with public license tag agents.

Proposed law requires that an auto title company satisfy the following qualifications to be licensed as a public license tag agent in addition to those set forth in R.S. 47:532.1 and Chapter 4 of Title 32 of the Louisiana Revised Statutes of 1950 for the purposes of this Section:

- (1) Be in good standing with OMV.
- (2) Have had no contract with the OMV suspended, revoked, cancelled, or restricted for any cause listed in R.S. 32:737.
- (3) Be in compliance with standard policies of OMV applicable to funds management, payment, submission, and transfer.
- (4) Satisfactorily pass a background check.
- (5) Have satisfactory experience with all audits required by OMV.
- (6) Be in compliance with any additional requirements promulgated by the commissioner of OMV pursuant to the Administrative Procedure Act.

Effective January 1, 2014.

(Amends R.S. 47:532.1(A)(2)(a); adds R.S. 47:532.2)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Transportation,
Highways, and Public Works to the original bill

1. Clarifies that a public license tag agent has authority to receive an application for a motor vehicle certificate of title, instead of to issue such certificate.
2. Adds that an application for a certificate of title may be "dropped off" at an OMV field office for later processing.

3. Deletes licensing requirement that an auto title company must have been qualified to do and doing business in Louisiana for not less than twelve months prior to applying for a license as a public license tag agent under the provisions of proposed law.