

Prior law provided that every court in this state is to keep a full report of every case in which a person is charged with violation of any provision of prior law relative to motor vehicles and traffic regulations, or any regulation of the Dept. of Public Safety and Corrections (DPSC) adopted pursuant to prior law, or any state law or of any municipal or parish ordinance regulating the operation of motor vehicles on highways.

New law retains prior law.

Prior law provided that if a person charged with a violation of prior law relative to motor vehicles and traffic regulations is convicted and sentenced, or if his bail is forfeited, or if other final disposition be made, an abstract of the report is to be sent by the court or the district attorney to DPSC. Prior law further provided that a conviction is to be reported regardless of whether the person has been placed on probation for the offense pursuant to prior law. New law retains prior law.

Prior law required DPSC to suspend the driver's license of any person for a period of 12 months upon receiving satisfactory evidence of the conviction, guilty plea, or nolo contendere plea and sentencing of any person charged with a first offense of the prior law crimes of vehicular negligent injuring or operating a motor vehicle while under the influence of beverages of high alcoholic content, low alcoholic content, narcotic drugs, or central nervous system stimulants.

New law retains prior law and clarifies that a suspended sentence and probation is to be considered as a convictions for purposes of prior law requiring suspension of the person's driver's license.

Prior law provided that a person's vehicle operating record cannot include an arrest for a first or second misdemeanor DWI violation when the person was convicted or entered a plea, and the sentence was suspended and the person placed on probation pursuant to prior law.

New law clarifies that a person's vehicle operating record cannot include an arrest for a first or second violation of any state, local, parish, city, municipal, or other government ordinance, statute, or legal provision making criminal the operating of a motor vehicle while intoxicated or under the influence of alcohol, including but not limited to R.S. 14:98, in certain circumstances.

Prior law further provided that DPSC is to add the conviction to the operating record and suspend or revoke the person's driver's license only if the court, clerk, or district attorney subsequently reports that the person was denied a final dismissal.

New law changes prior law to provide that DPSC is to add the first or second misdemeanor DWI conviction to the person's vehicle operating record when the sentence was suspended and the person was placed on probation, until such time as DPSC receives notice that the person achieved a final dismissal under prior law.

Effective August 1, 2014.

(Amends R.S. 32:414(A)(1)(a), 853(A)(1)(c)(intro para), and 853(A)(1)(c)(iii))