

RÉSUMÉ DIGEST

ACT 407 (HB 499)

2015 Regular Session

Hill

Existing law provides for the suspension, revocation, or cancellation of a Class "E" driver's license for specific reasons.

Existing law provides that a person whose Class "E" driver's license is suspended, revoked, or cancelled can apply for hardship or restricted Class "E" driver's license in certain circumstances if the applicant meets certain requirements.

New law retains existing law.

New law requires the driver's license division of the Dept. of Public Safety and Corrections (department) to issue a provisional Class "E" driver's license to a person who is released from incarceration after serving a minimum of one year and whose Class "E" driver's license will be or is suspended, revoked, or cancelled for any reason upon his release.

New law provides that the license issued pursuant to new law shall be valid for one year from the date of issuance.

New law prohibits any person whose Class "E" driver's license has been suspended, revoked, or cancelled pursuant to a report of a conviction received pursuant to Article III of the Driver License Compact, or to a person who was imprisoned for vehicular homicide, or a third or subsequent violation of a criminal provision governing operating a vehicle while intoxicated from receiving a provisional license pursuant to new law.

New law specifies that a provisional Class "E" driver's license shall be issued pursuant to new law upon the submission of proof of release from incarceration and collection of the standard fees and handling charges for the issuance of driver's licenses.

New law specifies that all other fees, penalties, and charges authorized by existing law that are incurred prior to or during the term of incarceration and owed by the applicant to the department shall be deferred at the time of the issuance of a provisional Class "E" driver's license issued pursuant to new law.

New law provides that the holder of a provisional license issued pursuant to new law shall have one year from the date of issuance of the provisional license to clear his driving record of any suspensions, revocations, or cancellations so that he may be eligible for a regular Class "E" driver's license.

New law provides that the holder of a provisional license issued pursuant to new law and all state entities or political subdivisions to whom such holder may owe an obligation or debt shall notify the department upon satisfaction of such obligations or debt.

New law provides that if the holder of a provisional license issued pursuant to new law qualifies for full and unrestricted Class "E" driving privileges at the end of the term of the provisional license issued pursuant to new law, then the department shall issue the holder a Class "E" driver's license upon the collection of the standard fees and handling charges for the issuance of the driver's license.

New law provides all other fees, penalties, and charges authorized by existing law that are incurred prior to or during the term of incarceration of the applicant and owed by the applicant to the department shall be collected prior to the issuance of a Class "E" driver's license pursuant to new law.

New law requires the department to reimpose all suspensions, revocations, or cancellations of driving privileges for the balance of any suspension, revocation, or cancellation period after the expiration of the one-year provisional driver's license provided for in new law if the holder has not come into compliance with requirements of existing law within one year following the issuance of such provisional license. Also provides, that at that time, the department shall reset any block on the issuance of a driver's license if the holder of a provisional driver's license issued pursuant to new law has not come into full compliance with the requirements of existing law.

New law authorizes the department to revoke the provisional license issued pursuant to new law if the holder commits certain new offenses or acts or omissions that cause the holder to have his community supervision, mandatory supervision, or parole to be revoked.

New law provides that if the department revokes a provisional Class "E" driver's license pursuant to new law such person shall not be entitled to receive another provisional license in his lifetime.

New law authorizes the department to promulgate rules and regulations in accordance with the Administrative Procedure Act as necessary to implement new law, including but not limited to eligibility criteria for a provisional license, proof of insurance, and proof of employment, if applicable.

Effective Aug. 1, 2015.

(Adds R.S. 32:415.3)