

2016 Regular Session

HOUSE BILL NO. 937 (Substitute for House Bill No. 838 by Representative Havard)

BY REPRESENTATIVE HAVARD

MOTOR VEHICLES: Provides relative to background checks of certain persons who perform services relative to motor vehicles

1 AN ACT

2 To amend and reenact R.S. 15:587(A)(1)(e)(iv) and (v), relative to background checks
3 required for persons who perform certain services relating to motor vehicles; to
4 provide for limitations on background checks required of certain persons who have
5 or are seeking a contract or license with the Department of Public Safety and
6 Corrections, public safety services, to perform certain services relative to motor
7 vehicles; to provide for an effective date; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 15:587(A)(1)(e)(iv) and (v) are hereby amended and reenacted to
10 read as follows:

11 §587. Duty to provide information; processing fees; Louisiana Bureau of Criminal

12 Identification and Information

13 A.(1)

14 * * *

15 (e)

16 * * *

17 (iv) The office of motor vehicles shall submit fingerprint cards or other
18 identifying information to the bureau of any person who applies to be an auto title

1 company or a public license tag agent pursuant to R.S. 32:735 et seq. and R.S.
2 47:532.1 and of any person who works for any such business who will process
3 transactions for ~~such office~~ the office of motor vehicles. Upon request and after
4 receipt of fingerprint cards or other identifying information from the office of motor
5 vehicles, the bureau shall provide any arrest and conviction information contained
6 in the bureau's criminal history record and identification files for the principal of
7 such applicants. Additionally, the bureau shall forward the fingerprints of such
8 applicants' principal to the Federal Bureau of Investigation for a national criminal
9 history record check. Fingerprint cards shall be submitted to the bureau pursuant to
10 this Item only upon initial application and shall not be required to be submitted
11 annually. After initial fingerprints are submitted pursuant to this Item, the arrest and
12 conviction record for any public license tag agent, auto title company, or person who
13 works for any such business who will process transactions for the office of motor
14 vehicles shall be monitored in the same manner the arrest and conviction record is
15 monitored for employees of the office of motor vehicles.

16 (v) The office of motor vehicles shall submit fingerprint cards or other
17 identifying information to the bureau of any person who applies to or contracts with
18 ~~such office~~ the office of motor vehicles to handle or process any transaction or
19 inquiry. Upon request and after receipt of fingerprint cards or other identifying
20 information from the office of motor vehicles, the bureau shall provide to such office
21 any arrest and conviction information contained in the bureau's criminal history
22 record and identification files for the principal of such applicants or contractors.
23 Additionally, the bureau shall forward the fingerprints of such applicant or
24 contractor's principal to the Federal Bureau of Investigation for a national criminal
25 history record check. Fingerprint cards shall be submitted to the bureau pursuant to
26 this Item only upon initial application and shall not be required to be submitted
27 annually. After initial fingerprints are submitted pursuant to this Item, the arrest and
28 conviction record for any person who contracts with the office of motor vehicles to
29 handle or process any transaction or inquiry shall be monitored in the same manner

1 the arrest and conviction record is monitored for employees of the office of motor
2 vehicles.

3 * * *

4 Section 2. This Act shall become effective upon signature by the governor or, if not
5 signed by the governor, upon expiration of the time for bills to become law without signature
6 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
7 vetoed by the governor and subsequently approved by the legislature, this Act shall become
8 effective on the day following such approval.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 937 Original

2016 Regular Session

Havard

Abstract: Public license tag agents and auto title companies and certain employees thereof will only be required to be fingerprinted upon initial application and after such their criminal and arrest record will be monitored in the same manner as employees of the office of motor vehicles. Provides the same for any person who applies to or contracts with the office of motor vehicles to handle or process any transaction or inquiry.

Present law provides that the office of motor vehicles shall submit fingerprint cards or other identifying information to the Louisiana Bureau of Criminal Identification and Information (bureau) of any person who applies to be an auto title company or a public tag agent pursuant to present law (R.S. 32:735 et seq. and R.S. 47:532.1), or any person who works for such business who will process transactions for the office.

Proposed law makes a technical correction in that it inserts the word "license" between the words "public" and "tag" and otherwise retains present law.

Present law provides that upon request and after receipt of fingerprint cards or other identifying information from the office of motor vehicles, the bureau is required to provide any arrest and conviction information contained in the bureau's criminal history record and identification files for the principal of such applicants. Additionally, requires the bureau to forward the fingerprints of such applicants' principal to the Federal Bureau of Investigation for a national criminal history record check.

Proposed law retains present law.

Proposed law adds that fingerprint cards shall be submitted to the bureau pursuant to present law only upon initial application and that fingerprint cards are not required to be submitted annually.

Proposed law adds that after initial fingerprints are submitted pursuant to present law, the arrest and conviction record for any public license tag agent, auto title company, or person who works for any such business who will process transactions for the office of motor

vehicles shall be monitored in the same manner the arrest and conviction record is monitored for employees of the office of motor vehicles.

Present law requires that the office of motor vehicles submit fingerprint cards or other identifying information to the bureau of any person who applies to or contracts with such office to handle or process any transaction or inquiry.

Present law requires that upon request and after receipt of fingerprint cards or other identifying information from the office of motor vehicles, the bureau is required to provide to such office any arrest and conviction information contained in the bureau's criminal history record and identification files for the principal of such applicants or contractors. Additionally, the bureau is required to forward the fingerprints of such applicant or contractor's principal to the Federal Bureau of Investigation for a national criminal history record check.

Proposed law adds that fingerprint cards shall be submitted to the bureau pursuant to present law only upon initial application and shall not be required to be submitted annually.

Proposed law adds that after initial fingerprints are submitted pursuant to present law, the arrest and conviction record for any person who contracts with the office of motor vehicles to handle or process any transaction or inquiry will be monitored in the same manner the arrest and conviction record is monitored for employees of the office of motor vehicles.

(Amends R.S. 15:587(A)(1)(e)(iv) and (v))