SLS 16RS-1036 **ORIGINAL** 

2016 Regular Session

SENATE BILL NO. 400

BY SENATOR BARROW

MOTOR VEHICLES. Provides debt amnesty program to individuals for excessive debt due the office of motor vehicles. (8/1/16)

1	AN ACT
2	To enact R.S. 32:9, relative to motor vehicles; to require the office of motor vehicles to
3	establish a debt amnesty program; to provide for an amnesty period; to provide the
4	terms and conditions applicable to the program; and to provide for related matters.
5	Be it enacted by the Legislature of Louisiana:
6	Section 1. R.S. 32:9 is hereby enacted to read as follows:
7	§9. Amnesty program; office of motor vehicles
8	A. The office of motor vehicles shall develop and implement a debt
9	amnesty program to collect debt for fines, penalties, and fees due to the office
10	of motor vehicles as defined in R.S. 32:8. The office shall publicize the debt
11	amnesty program to maximize the public's awareness of and participation in
12	the program.
13	B. The debt amnesty program shall be effective for a period of at least
14	two months duration in 2016 occurring prior to December 31, 2016.
15	C. The debt amnesty program shall apply to debt due to the Department
16	of Public Safety and Corrections, office of motor vehicles, pursuant to R.S.
17	32:57.1, 863, or 863.1 on the effective date of this Section.

1	D. Debtors with debt in the amount of one thousand dollars or more are
2	eligible to participate in the debt amnesty program. Amnesty debt payments
3	shall be paid in full during the amnesty period.
4	(1) If a debtor has debt of one thousand dollars or more for violation or
5	multiple violations of R.S. 32:57.1, the amnesty debt payment due shall not
6	exceed five hundred dollars.
7	(2) If a debtor has debt of one thousand dollars or more for violation or
8	multiple violations, pays the debt in full during the amnesty period, and
9	provides proof of insurance, the amnesty debt payment due shall not exceed
10	eight hundred fifty dollars for debt incurred pursuant to R.S. 32:863(A)(1) and
11	shall not exceed one thousand seventy-five dollars for debt incurred pursuant
12	to R.S. 32:863(A)(2).
13	(3) If a debtor has debt of one thousand dollars or more for violation or
14	multiple violations of R.S. 32:863.1, pays the debt in full during the amnesty
15	period, and provides proof of insurance, the amnesty debt payment due shall
16	not exceed five hundred dollars.
17	(4) No amnesty payment for debt of a person sixty-five years or older,
18	including administrative fees, shall exceed two hundred fifty dollars.
19	E. Upon receipt of the amnesty payment, the office of motor vehicles
20	shall clear the debtor's record at the office of motor vehicles and reinstate the
21	debtor's driver's license and motor vehicle registration.
	The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Sharon F. Lyles.

DIGEST 2016 Regular Session

Barrow

SB 400 Original

<u>Proposed law</u> requires the office of motor vehicles (OMV) to develop and implement a debt amnesty program for a period of at least two months duration in 2016 that occurs prior to December 31, 2016, and to collect debt for fines, penalties, and fees due the OMV as defined in R.S. 32:8 for violations of R.S. 32:57.1 (failure to honor a promise), R.S. 32:863 (no insurance), and R.S. 32:863.1 (no evidence of insurance). Requires the office to publicize the debt amnesty program to maximize the public's awareness of and participation in the program.

Proposed law provides that OMV debtors with debt in the amount of \$1,000 or more are

Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.

eligible to participate in the debt amnesty program. Requires amnesty debt payments to be paid in full during the amnesty period and provides the following maximum schedule of amnesty debt payments.

- (1) For debt of \$1,000 or more for violation or multiple violations of R.S. 32:57.1, the amnesty debt payment due shall not exceed \$500.
- (2) For debt of \$1,000 or more for violation or for multiple violations of R.S. 32:863(A)(1), the amnesty debt payment due shall not exceed \$850 and shall not exceed \$1,075 for debt incurred for violation or for multiple violations of R.S. 32:863(A)(2). Requires the debtor to provide proof of insurance.
- (3) For debt of \$1,000 or more for violation or multiple violations of R.S. 32:863.1, the amnesty debt payment due shall not exceed \$500. Requires the debtor to provide proof of insurance.
- (4) No amnesty debt payment for debt of a person 65 years or older, including administrative fees, shall exceed \$250.

<u>Proposed law</u> requires the OMV to clear the debtor's record and reinstate his driver's license and motor vehicle registration upon receipt of the amnesty payment.

Effective August 1, 2016.

(Adds R.S. 32:9)