

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 the principal of any such public license tag agent, the principal
13 of any such auto title company, or person who works for any such business who will
14 process transactions for the office of motor vehicles shall be monitored in the same
15 manner the arrest and conviction record is monitored for employees of the office of
16 motor vehicles.

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

company, or any 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.

Effective upon signature of governor or lapse of time for gubernatorial action.

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

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Clarify that the principals of auto title companies and public tag agents themselves would be fingerprinted and not the companies.