

2015 Regular Session

HOUSE BILL NO. 593

BY REPRESENTATIVE TERRY LANDRY

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

MTR VEHICLE/INSPECTION: To provide for automation of the motor vehicle inspection process

1 AN ACT

2 To amend and reenact R.S. 32:1305(A) and to repeal R.S. 32:1306(E), relative to motor
3 vehicle inspection certificates and stations; to require the Department of Public
4 Safety and Corrections, public safety services, to develop a system of electronic
5 filing of inspection certificates; to provide for the requirements of such a system; to
6 authorize the Department of Public Safety and Corrections, public safety services,
7 to establish fees for motor vehicle inspection violations; to provide for effective
8 dates; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 32:1305(A) is hereby amended and reenacted to read as follows:

11 §1305. Appointment of official inspection stations

12 A.(1) For the purpose of making inspections and issuing official certificates
13 of inspection and approval as provided ~~herein the director~~ in this Chapter, the
14 Department of Public Safety and Corrections, public safety services, referred to as
15 "department" in this Subsection, shall issue permits for and furnish instructions and
16 all necessary forms to official inspection stations for the inspection of vehicles as
17 ~~herein~~ required in this Chapter and the issuance of official certificates of inspection
18 and approval.

19 (2) The Department of Public Safety and Corrections, public safety services,
20 shall develop a system of electronic filing of inspection information and print on-

1 demand motor vehicle inspection certificates. The system, at a minimum, shall meet
2 the following requirements:

3 (a) Such system shall interface with the Department of Public Safety and
4 Corrections, public safety services, vehicle registration system and shall update all
5 vehicle records with each inspection. The department shall provide requirements for
6 the inspection information which shall be added to a vehicle record.

7 (b) The print on-demand feature shall print a new inspection certificate after
8 the station has verified through an electronic interface that the vehicle complies with
9 all inspection requirements for the class and type of vehicle, and after the station has
10 verified that the appropriate fee has been collected.

11 (c) A mechanism for the submission of the state's portion of the inspection
12 fee; such as, electronic funds transfer, making the state's payment processing system
13 available to the station, or other such other methods as the department may deem
14 appropriate.

15 (d)(i) Each station shall contract with the department's vendor for the
16 acquisition of any hardware, software, or supplies necessary to implement the system
17 of electronic filing of inspection information and print on-demand motor vehicle
18 inspection stickers, and connect to the system. The department shall approve the
19 form of the contract. Such contract shall be subject to the vendor's contract with the
20 state and shall be governed by the laws of Louisiana.

21 (ii) The vendor's system shall not retain or capture personal identifying
22 information either from the department's system or from data entered at the
23 inspection station.

24 (e) The department shall establish specifications or minimum requirements
25 for any station supplied hardware or software used to connect to the system;
26 including, but not limited to the minimal level of acceptable internet connection.

27 (f) The print on-demand inspection certificate shall contain such information
28 and security features as necessary to deter unofficial or fraudulent stickers, or to
29 prevent the placement of the certificate on a vehicle other than the vehicle inspected.

1 (g) After this system is implemented, but no sooner than two years after
2 implementation, the department may establish a system of administrative fines to be
3 assessed against the registered owner of any vehicle if the vehicle record shows a
4 lapse of a valid inspection sticker for a period of more than sixty days. Defenses to
5 such fines shall include that the vehicle was sold or otherwise transferred, the vehicle
6 is registered in another state, or the owner submitted an affidavit of non-operation
7 within sixty days of the expiration of the last valid inspection and approval issued
8 for the vehicle. Any fines established shall not exceed twice the amount of the fee
9 for the inspection certificate for a particular vehicle.

10 (h) The department shall promulgate rules and regulations as are necessary
11 and in accordance with the Administrative Procedure Act to implement this
12 Subsection.

13 (i) The system required to be created pursuant to this Subsection shall be in
14 place and operational by December 31, 2016.

15 Section 2. R.S. 32:1306(E) is hereby repealed.

16 Section 3. Section 2 of this Act shall become effective on January 1, 2016.

17 Section 4. Section 1, Section 3, and this Section shall become effective upon
18 signature by the governor or, if not signed by the governor, upon expiration of the time for
19 bills to become law without signature by the governor, as provided by Article III, Section
20 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved
21 by the legislature, this Act shall become 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 593 Original

2015 Regular Session

Terry Landry

Abstract: Provides for automation of the motor vehicle inspection certificate process.

Present law provides for a system of motor vehicle inspections whereby authorized inspection stations purchase books of inspection certificates with certificates to issue to motor vehicles which pass inspection and for which appropriate fees are received.

Proposed law requires the Dept. of Public Safety and Corrections (DPS&C), public safety services, to develop a system of electronic filing on inspection information and print on demand motor vehicle inspection certificates.

Proposed law establishes minimum requirements for such system, including but not limited to, each station contracting with the DPS&C's vendors for the acquisition of any hardware, software, or supplies necessary to implement the system of electronic filing or inspection and print on-demand motor vehicle inspection certificates, and to connect to the system.

Proposed law specifies that two years after implementation of the system the DPS&C may establish a system of administrative fines to be assessed against the registered owner of any vehicle if the vehicle record shows a lapse of a valid inspection sticker for a period of more than 60 days. Specifies that the fines established cannot exceed twice the amount of the fee for the inspection certificate for a particular vehicle.

Proposed law specifies that DPS&C's system of electronic filing on inspection information and print on demand motor vehicle inspection certificates must be in place and operational by December 31, 2016.

Present law requires the office of motor vehicles to distribute motor vehicle inspection stickers to each district office throughout the state and make such stickers available for purchase by certified motor vehicle inspection stations during normal business hours. Requires the stickers to be in convenient book form and be sold in such practical increments as will not present a financial hardship to low volume stations.

Proposed law repeals this portion of present law effective January 1, 2016.

(Amends R.S. 32:1305(A); Repeals R.S. 32:1306(E))