

CONFERENCE COMMITTEE REPORT

HB 481

2016 Regular Session

James

June 5, 2016

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 481 by Representative James, recommend the following concerning the Reengrossed bill:

- 1. That the set of Senate Committee Amendments by the Senate Committee on Transportation, Highways and Public Works (#2931) be adopted.
- 2. That the set of Senate Floor Amendments by Senator Cortez (#3306) be rejected.
- 3. That the following amendments to the Reengrossed bill be adopted:

AMENDMENT NO. 1

On page 2, delete lines 25 through 29 in their entirety and insert the following:

"(c) A person shall not be issued a citation for driving a motor vehicle without a physical driver's license in his possession if he presents a digitized driver's license to a law enforcement officer in connection with a traffic stop or checkpoint in Louisiana. However, in connection with requests for identification not associated with traffic stops or checkpoints in Louisiana, a person may be required to produce a physical driver's license to a law enforcement officer, a representative of a state or federal department or agency, or a private entity when so requested and be subject to all the applicable laws and consequences for failure to produce such license."

AMENDMENT NO. 2

On page 3, delete lines 1 through 5 in their entirety

Respectfully submitted,

Representative Edward "Ted" James

Senator Wesley Bishop

Representative Kenny Havard

Senator Patrick Page Cortez

Representative Terry Landry

Senator Jay Luneau

 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)]

CONFERENCE COMMITTEE REPORT DIGEST
HB 481**2016 Regular Session****James**
Keyword and oneliner of the instrument as it left the House

MTR VEHICLE/DRIVER LIC: Provides relative to the issuance and possession of drivers' licenses

Report adopts Senate amendments to:

1. Make technical changes.
2. Establish a fee, not to exceed six dollars, for the installation of the application to display a digitized driver's license.

Report rejects Senate amendments which would have:

1. Removed the provision stating that a law enforcement officer or a representative of the department is authorized to require a person to produce his physical driver's license issued by the department if he is stopped for a reason other than a traffic stop or checkpoint.

Report amends the bill to:

1. Prohibit the issuance of a citation to a person for driving a motor vehicle without a physical driver's license in his possession if he presents a digitized driver's license to a law enforcement officer in connection with a traffic stop or checkpoint in Louisiana.
2. Clarify that a person may be required to produce a physical driver's license in connection with requests for identification not associated with traffic stops or checkpoints in Louisiana and failure to produce such identification when requested will subject such person to all the applicable laws and consequences for failure to produce such license.

Digest of the bill as proposed by the Conference Committee

Present law requires that a licensee have his license in his immediate possession at all times when driving a motor vehicle.

Proposed law modifies present law by authorizing a licensee to have a digitized driver's license provided by the Dept. of Public Safety and Corrections, office of motor vehicles, as an alternative to his physical license.

Proposed law defines digitized driver's license as a data file available on any mobile device which has connectivity to the internet through an application that allows the mobile device to download the data file from the department or an authorized representative of the department, contains all of the data elements visible on the face and back of the physical license and displays the current status of the license. Specifies that a copy, photograph, or image of a driver's license not downloaded through the application on a mobile device is not a valid digitized driver's license.

Proposed law prohibits issuance of a citation to a person, in connection with a traffic stop or checkpoint, for driving a motor vehicle without a valid license in his possession if he presents a digitized driver's license to a law enforcement officer in lieu of a physical driver's license issued by the department.

Proposed law clarifies that a person may be required to produce a physical driver's license in connection with requests for identification not associated with traffic stops or checkpoints in Louisiana and that failure to produce such identification when requested will subject such person to all the applicable laws and consequences for failure to produce a driver's license.

Proposed law requires the department to establish rules necessary to implement a digitized driver's license.

Proposed law specifies that display of a digitized driver's license does not serve as consent or authorization for a law enforcement officer, or any other person, to view, search, or access any other data or application on the mobile device and requires that a law enforcement officer promptly return the mobile device to the person once he has had an opportunity to verify the identity and license status.

Proposed law establishes a fee to install the application to display a digitized driver's license, as provided in proposed law, not to exceed six dollars.

Present law requires the secretary of the Dept. of Public Safety and Corrections to issue evidence of renewal of Class "D" or "E" drivers' licenses, which must be affixed to the previously issued license, to indicate the date the license expires in the future when a license is renewed by mail or electronic commerce.

Proposed law modifies present law by requiring the secretary to issue a new license which indicates the new expiration date when a license is renewed by mail or electronic commerce.

(Amends R.S. 32:411(F)(1) and 412(D)(6); Adds R.S. 32:411(F)(3))