2017 Regular Session

HOUSE BILL NO. 692   (Substitute for House Bill No. 607 by Representative Jordan)

BY REPRESENTATIVE JORDAN

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

MOTOR VEHICLES: Provides relative to electronic verification of compulsory motor vehicle insurance

1	AN ACT
2	To amend and reenact R.S. 32:863.1.1, relative to compulsory motor vehicle liability
3	security; to enhance the ability of law enforcement to access driver insurance
4	information; to require law enforcement officers verify compulsory motor vehicle
5	liability security electronically; to require the Department of Public Safety and
6	Corrections promulgate rules and regulations necessary for implementation; and to
7	provide for related matters.
8	Be it enacted by the Legislature of Louisiana:
9	Section 1. R.S. 32:863.1.1 is hereby amended and reenacted to read as follows:
10	§863.1.1. Evidence of compulsory motor vehicle liability security not contained in
11	a motor vehicle; prohibition of citation resulting in a penalty or fee
12	A. Notwithstanding any other provision of law to the contrary, at the time
13	any law enforcement officer stops a vehicle at an administrative violations
14	checkpoint, or in connection with an alleged violation of the law, or for any other
15	reason, or when a law enforcement officer investigates an accident, the law
16	enforcement officer shall use electronic means immediately available to verify
17	compulsory motor vehicle liability security, including the name or names of the
18	insured, the effective date and the expiration date of the policy, a description of the
19	motor vehicle or vehicles insured under the policy, and the current policy status.

1   B. If the law enforcement officer is unable to verify electronically that the

2   owner or operator has active motor vehicle liability security covering the vehicle at

3   the time of the traffic stop, the owner or operator of the motor vehicle shall provide

4   evidence of compulsory motor vehicle liability security as required in R.S. 32:863.1.

5   C. Notwithstanding any other provision of law to the contrary, at the time

6   any law enforcement officer stops a vehicle at an administrative violations

7   checkpoint, or in connection with an alleged violation of the law, or for any other

8   reason, or when a law enforcement officer investigates an accident and the owner or

9   operator fails to have a document that evidences compulsory motor vehicle liability

10   security contained in the motor vehicle, and the law enforcement officer is able to

11   verify electronically that the owner or operator has current motor vehicle liability

12   security covering the vehicle at the time of the traffic stop, the law enforcement

13   officer shall be prohibited from issuing a citation resulting in a penalty, fine, or fee

14   for failure to have a document that evidences proof of compulsory motor vehicle

15   liability security contained in the motor vehicle.

16   D. The commissioner shall promulgate rules and regulations as necessary to

17   implement the provisions of this Section.

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 692 Engrossed   2017 Regular Session   Jordan

Abstract: Requires electronic verification of compulsory motor vehicle liability security.

Present law prohibits law enforcement from issuing a citation resulting in a penalty, fine, or fee for failure to have a document that evidences proof of compulsory motor vehicle liability security contained in the motor vehicle if, at the time of a traffic stop, the law enforcement officer can verify electronically that the owner or operator has current motor vehicle liability security covering the vehicle.

Proposed law retains present law.

Proposed law requires a law enforcement officer use electronic means immediately available to verify compulsory motor vehicle liability security, including the name or names of the insured, the effective date and the expiration date of the policy, a description of the motor vehicle or vehicles insured under the policy, and the current policy status, at the time any law enforcement officer conducts a motor vehicle stop.

Proposed law requires the owner or operator of the motor vehicle provide evidence of compulsory motor vehicle liability security, as required in present law, if the law enforcement officer is unable to verify electronically that the owner or operator has current motor vehicle liability security covering the vehicle at the time of the traffic stop.

Proposed law requires the Dept. of Public Safety and Corrections to promulgate rules and regulations as necessary to implement the provisions of proposed law.

(Amends R.S. 32:863.1.1)