

2022 Regular Session

HOUSE BILL NO. 871

BY REPRESENTATIVE MARCELLE

MTR VEHICLE/DRIVER LIC: Provides relative to reinstatement fees for an arrested person's failure to honor a written promise to appear

1 AN ACT

2 To amend and reenact R.S. 32:57.1(B) and enact R.S. 32:57.1(D), relative to a failure to
3 honor a written promise to appear; to provide for reinstatement fees or fines relative
4 to an arrested person's failure to honor a written promise to appear; to waive
5 reinstatement fees or fines under certain circumstances; and to provide for related
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 32:57.1(B) is hereby amended and reenacted and R.S. 32:57.1(D) is
9 hereby enacted to read as follows:

10 §57.1. Failure to honor written promise to appear; penalty; disposition of fines

11 * * *

12 B. Whenever the arrested person makes an appearance as required by
13 Subsection A ~~hereof~~ of this Section or pays an appropriate fine for the offense
14 committed, as determined by the court, the prosecuting authority shall immediately
15 notify the Department of Public Safety and Corrections ~~thereof~~ of such appearance
16 or payment of a fine. Upon such notification and payment of an additional fifty
17 dollars to the department, the operator's license of the arrested person shall be
18 renewed or reissued for the purpose of this Section. Twelve dollars and fifty cents
19 of the additional fine imposed by this Section shall be paid to the court exercising

1 jurisdiction, to be deposited in that court's criminal court fund and to be used in the
2 same manner as the other sums deposited in said fund.

3 * * *

4 D. Anyone who resolves a suspension for a failure to honor a written
5 promise to appear pursuant to Subsections A and B of this Section with the court
6 exercising jurisdiction and provides proof to the Department of Public Safety and
7 Corrections that the matter has been disposed of shall not be required to pay any
8 previously imposed reinstatement fees or fines provided for in 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 871 Original

2022 Regular Session

Marcelle

Abstract: Waives reinstatement fees and fines upon resolution of a suspension for a failure to honor a written promise to appear.

Present law authorizes the magistrate or judge of the court exercising jurisdiction to immediately forward to the Dept. of Public Safety and Corrections (DPSC) the notice of the failure to appear, with information necessary for identification of the arrested person, whenever an arrested person released on his written promise to appear before a magistrate as specified in a summons fails to appear.

Present law requires the DPSC to immediately notify the arrested person of the suspension of his operator's license and impose a \$50 fee, regardless of the disposition of the original charge. Present law requires the DPSC to inform the arrested person that his operator's license cannot be renewed or reissued until the forwarding court exercising jurisdiction certifies he honored the appearance or paid an appropriate fine for the offense as determined by the forwarding court exercising jurisdiction.

Present law requires the prosecuting authority to immediately notify the DPSC whenever the arrested person makes an appearance as required by present law or pays the appropriate fine for the offense committed. Present law requires the operator's license of the arrested person to be renewed or reissued upon notification and payment of an additional \$50 to the department.

Proposed law waives the payment of any previously imposed reinstatement fees or fines provided in present law for anyone who resolves a previous suspension for a failure to honor a written promise to appear under the provisions of present law with the court exercising jurisdiction and provides corresponding proof to the DPSC.

(Amends R.S. 32:57.1(B); Adds R.S. 32:57.1(D))