

Regular Session, 2009

HOUSE BILL NO. 444

BY REPRESENTATIVES PERRY, BALDONE, HENRY BURNS, TIM BURNS, CHAMPAGNE, DOWNS, FOIL, GISCLAIR, MICKEY GUILLORY, KATZ, LITTLE, MILLS, PEARSON, PUGH, RICHARD, ROBIDEAUX, SCHRODER, SIMON, SMILEY, AND JANE SMITH AND SENATORS AMEDEE, CHAISSON, CHEEK, CROWE, DUPLESSIS, DUPRE, KOSTELKA, LONG, MICHOT, QUINN, SHAW, SMITH, THOMPSON, AND WALSWORTH

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

1 AN ACT

2 To amend and reenact R.S. 32:668(A)(introductory paragraph) and to enact R.S. 32:668.1,
3 relative to drivers licenses; to provide for scope of administrative hearings related
4 to driver's license suspension; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 32:668(A)(introductory paragraph) is hereby amended and reenacted
7 and R.S. 32:668.1 is hereby enacted to read as follows:

8 §668. Procedure following revocation or denial of license; hearing; court review;
9 review of final order; restricted licenses

10 A. Upon suspending the license or permit to drive or nonresident operating
11 privilege of any person or upon determining that the issuance of a license or permit
12 shall be denied to the person, the Department of Public Safety and Corrections shall
13 immediately notify the person in writing and upon his request shall afford him an
14 opportunity for a hearing based upon the department's records or other evidence
15 admitted at the hearing, and in the same manner and under the same conditions as is
16 provided in R.S. 32:414 for notification and hearings in the case of suspension of
17 licenses, except that the scope of such a hearing for the purposes of this Part shall
18 ~~cover~~ be limited to the following issues:

19 * * *

1 §668.1. Procedure following revocation or denial of license; discovery
2 Notwithstanding any provision to the contrary, prehearing discovery, in
3 conjunction with the administrative hearing provided for in R.S. 32:668, shall not
4 include depositions of law enforcement witnesses.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____