

Regular Session, 2010

SENATE BILL NO. 474

BY SENATOR CROWE

MOTOR VEHICLES. Requires notification before a license may be suspended for a first or second violation of certain provisions regarding use of a child passenger restraint system. (8/15/10)

1 AN ACT

2 To amend and reenact R.S. 32:414(T)(1), relative to child restraint systems; to provide for  
3 certain notifications; to provide for affidavits under certain circumstances; to provide  
4 for suspensions of licenses under certain circumstances; and to provide for related  
5 matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 32:414(T)(1) is hereby amended and reenacted to read as follows:

8 §414. Suspension, revocation, renewal, and cancellation of licenses; judicial review

9 \* \* \*

10 T.(1) ~~The department shall suspend the license of any person upon~~ **Upon**  
11 notification of the first or second conviction under R.S. 32:295, **the department**  
12 **shall send written notification to the driver that the driver has thirty days from**  
13 **the mailing of the notice to provide** ~~until such time as he provides the department~~  
14 with a notarized affidavit stating he has acquired an approved age- or size-  
15 appropriate child restraint system where applicable, **Should the driver fail to**  
16 **provide the department with the affidavit within thirty days of the date of the**  
17 **mailing of the notice, the department shall suspend the license until such time**

1           **that the affidavit is produced** and **the** driver has complied with all other  
2 requirements of reinstatement as provided by law and department regulation.

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The original instrument and the following digest, which constitutes no part  
of the legislative instrument, were prepared by Carla S. Roberts.

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DIGEST

Crowe (SB 474)

Present law provides that the department shall suspend the license of any person upon notification of the first or second conviction for failure to utilize an appropriate child restraint system until such time as the driver provides the department with a notarized affidavit stating the driver has acquired an approved age- or size-appropriate child restraint system.

Proposed law provides that, upon notification of the first or second conviction for failure to utilize an appropriate child restraint system, the department will notify, in writing, that the driver has 30 days from the date of mailing the notice to provide the department with a notarized affidavit stating that the driver has acquired an approved age- or size-appropriate child restraint system.

Proposed law provides that, should the driver fail to provide the department with an affidavit within 30 days, the department shall suspend the license until such time that the affidavit is produced and the driver has complied with all other requirements of reinstatement as provided by law and department regulation.

Effective August 15, 2010.

(Amends R.S. 32:414(T)(1))