

2018 Regular Session

HOUSE BILL NO. 646

BY REPRESENTATIVE TERRY LANDRY

MOTOR VEHICLES: Provides relative to certificates of destruction issued for water damaged motor vehicles

1 AN ACT

2 To amend and reenact R.S. 32:702(5), relative to the certificate of destruction issued for a
3 water damaged motor vehicle; to require that the impact of the declared disaster or
4 emergency be the proximate cause of the water damage sustained by the motor
5 vehicle; to provide for definitions; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 32:702(5) is hereby amended and reenacted to read as follows:

8 §702. Definitions

9 As used in this Chapter:

10 * * *

11 (5) "Certificate of destruction" means a type of certificate of title issued by
12 the office of motor vehicles for a "water-damaged vehicle" other than an antique
13 vehicle or a vehicle in excess of twenty thousand pounds gross vehicle weight rating
14 (GVWR), whose power train, computer, or electrical system has been damaged by
15 flooding as the result of a gubernatorially declared disaster or emergency when such
16 flooding was the proximate cause of the water damage sustained by the vehicle, and
17 that is deemed a "total loss" as defined in this Section. The certificate of destruction
18 shall be reassignable a maximum of two times prior to dismantling or destruction of
19 the vehicle.

20 * * *

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 646 Original

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Terry Landry

Abstract: Modifies the definition of a "certificate of destruction" by clarifying that a vehicle that sustained water damage during a gubernatorially declared disaster or emergency was flooded and the flooding was the proximate cause of the vehicle damage.

Present law defines "certificate of destruction" as a type of certificate of title issued by the office of motor vehicles for a "water-damaged vehicle" other than an antique vehicle or a vehicle in excess of twenty thousand pounds gross vehicle weight rating (GVWR), whose power train, computer, or electrical system has been damaged by flooding as the result of a gubernatorially declared disaster or emergency and that is a "total loss" as defined in present law. Also requires the certificate of destruction be reassignable a maximum of 2 times prior to dismantling or destructing the vehicle.

Proposed law retains present law and adds that the flooding from the gubernatorially declared disaster or emergency must be the proximate cause of the water damage sustained by the vehicle.

(Amends R.S. 32:702(5))