

2018 Regular Session

SENATE BILL NO. 549

BY SENATOR HEWITT

MOTOR VEHICLES. Provides for military surplus motor vehicles. (8/1/18)

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AN ACT

To enact R.S. 32:1(35.1) and 299.5 and R.S. 47:451(20.1) and 471, relative to motor vehicles; to provide with respect to military surplus motor vehicles; to provide with respect to the registration and operation of a military surplus motor vehicle; to provide for the creation of a special license plate for a military surplus motor vehicle; to provide for the operation of a military surplus motor vehicle under certain conditions; to provide for rules; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 32:1(35.1) and 299.5 are hereby enacted to read as follows:

§1. Definitions

When used in this Chapter, the following words and phrases have the meanings ascribed to them in this Section, unless the context clearly indicates a different meaning:

\* \* \*

**(35.1) "Military surplus motor vehicle" means a multipurpose or tactical vehicle that was manufactured by or under the direction of the United States Armed Forces for off-road use and subsequently authorized for sale to civilians.**

1 "Military surplus motor vehicle" does not include mobile construction  
2 equipment, trailers, or semitrailers.

3 \* \* \*

4 §299.5. Military surplus motor vehicles; operation; safety equipment;  
5 registration

6 A. The operation of a military surplus motor vehicle on the highways of  
7 this state for general transportation purposes, including but not limited to daily  
8 travel to and from the owner's place of employment, is prohibited, except that  
9 a military surplus motor vehicle shall be used subject to the following two  
10 conditions:

11 (1) Upon a highway where the posted speed limit is fifty-five miles per  
12 hour or less, except on an interstate or controlled access highway or a multi-  
13 lane-divided highway which has partial or no control of access.

14 (2)(a) For participation in and transportation to and from off-road  
15 events, on-road club activities, exhibits, tours, parades, and similar events.

16 (b) For the purpose of selling the vehicle, or obtaining repairs or  
17 maintenance.

18 (c) For occasional pleasure driving not to exceed one hundred twenty-  
19 five miles from the address at which the vehicle is stored.

20 B. A military surplus motor vehicle may cross any divided highway,  
21 highway, roadway, or street with a posted speed limit in excess of thirty-five  
22 miles per hour at an intersection.

23 C. Subject to Subsection A of this Section, a military surplus motor  
24 vehicle operated upon any highway of this state shall be equipped with the  
25 minimum motor vehicle equipment appropriate for motor vehicle safety,  
26 including headlamps, front and rear turn signal lamps, tail lamps, stop lamps,  
27 an exterior mirror mounted on the driver's side of the vehicle and either an  
28 exterior mirror mounted on the passenger's side of the vehicle or an interior  
29 mirror, a parking brake, an adequate windshield, a windshield wiper, a

1 speedometer, an odometer, braking for each wheel, a seat belt assembly  
2 installed at each designated seating position, and a vehicle identification or  
3 serial number.

4 D. Any military surplus motor vehicle operated upon any highway of this  
5 state shall be registered with the state of Louisiana through the Department of  
6 Public Safety and Corrections, public safety services, office of motor vehicles,  
7 as a limited use vehicle and shall display a special license plate issued by the  
8 office of motor vehicles.

9 E. A person operating a military surplus motor vehicle shall be at least  
10 twenty-one years of age and possess a valid driver's license.

11 F. Any military surplus motor vehicle operated upon a highway of this  
12 state shall have liability insurance with the same minimum limits as required  
13 by the provisions of R.S. 32:900(B).

14 G. The number of persons permitted to travel in a military surplus  
15 motor vehicle is limited to the number of available safety belts.

16 H. Nothing contained in this Section shall be construed to prevent the  
17 Department of Transportation and Development, or any parish or municipal  
18 government from prohibiting the operation of any military surplus motor  
19 vehicle on any state highway, parish road, or municipal street under its  
20 jurisdiction if the Department of Transportation and Development, parish or  
21 municipal government determines that the prohibition is necessary for the  
22 safety of the motoring public.

23 I. The Department of Public Safety and Corrections, public safety  
24 services, shall promulgate rules and regulations in accordance with the  
25 Administrative Procedure Act, subject to oversight by the house and senate  
26 committees on transportation, highways and public works, as necessary to  
27 implement the provisions of this Section. The rules and regulations shall become  
28 effective not later than January 20, 2019.

29 Section 2. R.S. 47:451(20.1) and 471 are hereby enacted to read as follows:

1 §451. Definitions and terms

2 The following words and phrases, when used in this Chapter, shall, for the  
3 purpose of this Chapter, have the meaning respectively ascribed to them in this  
4 Section, except in those instances where the context clearly discloses and indicates  
5 a different meaning.

6 \* \* \*

7 **(20.1) "Military surplus motor vehicle" means a multipurpose or tactical**  
8 **vehicle that was manufactured by or under the direction of the United States**  
9 **Armed Forces for off-road use and subsequently authorized for sale to civilians.**

10 **"Military surplus motor vehicle" does not include mobile construction**  
11 **equipment, trailers, or semitrailers.**

12 \* \* \*

13 **§471. Military surplus motor vehicles; special license plate**

14 **A. The deputy secretary of the Department of Public Safety and**  
15 **Corrections, public safety services, shall establish a special motor vehicle license**  
16 **plate for military surplus motor vehicles.**

17 **B. On receipt of an application and evidence that the applicant owns or**  
18 **has regular use of another passenger car, truck, or motorcycle, the**  
19 **commissioner may issue a registration certificate and appropriately designed**  
20 **license plate to an owner of a military surplus motor vehicle. The owner of a**  
21 **military surplus motor vehicle applying for registration pursuant to this Section**  
22 **shall submit to the department, in the manner prescribed by the department,**  
23 **certification that the vehicle is capable of being safely operated on the highways**  
24 **of this state. The military surplus motor vehicle license plate shall be issued to**  
25 **a resident of Louisiana in the same manner as any other motor vehicle license**  
26 **plate.**

27 **C. The department shall collect a standard motor vehicle license tax**  
28 **based upon the make, model, and weight of the military motor surplus vehicle.**

29 **D. Any law enforcement officer may require any person operating a**

1 military surplus motor vehicle registered with a license plate issued under this  
 2 Section to provide, upon request, the address at which the vehicle is stored for  
 3 use and the destination of such operation. Upon receiving a record of conviction  
 4 of a violation of this Section, the department shall revoke and not reinstate the  
 5 owner's privilege to register a vehicle operated in violation of this Section with  
 6 license plates issued pursuant to this Section for a period of five years from the  
 7 date of conviction.

8 E. The department shall suspend the registration of any vehicle  
 9 registered under this Section that the department determines is not properly  
 10 equipped or is otherwise unsafe to operate.

11 F. No military surplus motor vehicle shall be registered as an antique  
 12 vehicle pursuant to R.S. 47:463.8.

13 G. The Department of Public Safety and Corrections, public safety  
 14 services, shall promulgate rules and regulations in accordance with the  
 15 Administrative Procedure Act, subject to oversight by the house and senate  
 16 committees on transportation, highways and public works, as necessary to  
 17 implement the provisions of this Section. The rules and regulations shall become  
 18 effective not later than January 20, 2019.

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The original instrument and the following digest, which constitutes no part  
 of the legislative instrument, were prepared by Sharon F. Lyles.

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## DIGEST

SB 549 Original

2018 Regular Session

Hewitt

Proposed law creates a special motor vehicle license plate for military surplus motor vehicles.

Proposed law defines "military surplus motor vehicle" as a multipurpose or tactical vehicle that was manufactured by or under the direction of the United States Armed Forces for off-road use and subsequently authorized for sale to civilians, and does not include mobile construction equipment, trailers, or semitrailers.

Proposed law provides for the owner of military surplus motor vehicle to apply for and register a military surplus motor vehicle with evidence that the applicant owns or has regular use of another passenger car, truck, or motorcycle, and authorizes the commissioner to issue a registration certificate and appropriately designed license plate to an owner of a military surplus motor vehicle. Provides that the owner of a military surplus motor vehicle shall submit certification that the vehicle is capable of being safely operated on the highways of this state. Provides for issuance of the military surplus motor vehicle license plate to a

resident of Louisiana in the same manner as any other motor vehicle license plate.

Proposed law provides for collection of a standard motor vehicle license tax based upon the make, model, and weight of the military surplus motor vehicle.

Proposed law authorizes any law enforcement officer to require any person operating a military surplus motor vehicle license to provide, upon request, the address at which the vehicle is stored for use and the destination of such operation.

Proposed law requires the Dept. of Public Safety, upon receiving a record of conviction of a violation of proposed law to revoke and not reinstate the owner's privilege to register a military surplus motor vehicle operated in violation of proposed law for a period of five years from the date of conviction.

Proposed law requires the Dept. of Public Safety to suspend the registration of any vehicle registered as a military surplus motor vehicle that the department determines is not properly equipped or is otherwise unsafe to operate.

Proposed law prohibits registration of a military surplus motor vehicle as an antique vehicle pursuant to R.S. 47:463.8.

Proposed law prohibits the operation of a military surplus motor vehicle on the highways of this state for general transportation purposes including, but not limited to daily travel to and from the owner's place of employment, provided that a military surplus motor vehicle shall be operated only if its operation meets the following two conditions:

- (1) Upon a highway where the posted speed limit is 55 miles per hour or less except an interstate or controlled access highway or a multi-lane-divided highway which has partial or no control of access.
- (2)
  - (a) For participation in and transportation to and from off-road events, on-road club activities, exhibits, tours, parades, and similar events.
  - (b) For the purpose of selling the vehicle, or obtaining repairs or maintenance.
  - (c) For occasional pleasure driving not exceeding 125 miles from the address at which the vehicle is stored for use.

Proposed law allows a military surplus motor vehicle to cross any divided highway, highway, roadway, or street with a posted speed limit in excess of 35 per hour at an intersection.

Proposed law requires that a military surplus motor vehicle be equipped with head lamps, front and rear turn signal lamps, tail lamps, stop lamps, an exterior mirror mounted on the driver's side of the vehicle and either an exterior mirror mounted on the passenger's side of the vehicle or an interior mirror, a parking brake, a windshield wiper, a speedometer, an odometer, braking for each wheel, a seat belt assembly installed at each designated seating position, and a vehicle identification number.

Proposed law requires the operator of a military surplus motor vehicle to be at least 21 years old and to possess a valid driver's license.

Proposed law requires a military surplus motor vehicle operated on a highway to have liability insurance with the same minimum limits as required by the provisions of R.S. 32:900(B).

Proposed law requires safety belts for each person traveling in a military surplus motor vehicle.

Proposed law authorizes the DOTD or a parish or municipal government to prohibit the operation of any military surplus motor vehicle upon any parish or municipal road or highway under its jurisdiction if it determines that such prohibition is necessary for the safety of the motoring public.

Proposed law requires the Dept. of Public Safety and Corrections, public safety services, to adopt necessary rules and regulations pursuant to the APA subject to legislative oversight not later than January 20, 2019.

Effective August 1, 2018.

(Adds R.S. 32:1(35.1) and 299.5 and R.S. 47:451(20.1) and 471)