

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 wheeled, multipurpose or tactical motor vehicle manufactured for, and sold directly to, the Armed Forces of the United States in conformity with contractual specifications and**

1 subsequently authorized for sale to civilians. "Military surplus motor vehicle"  
2 does not include mobile construction 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 may be operated upon a highway of this state  
10 where the posted speed limit is sixty-five miles per hour or less, except on an  
11 interstate or controlled access highway or a multi-lane divided highway which  
12 has partial or no control of access.

13 B. A military surplus motor vehicle may cross any divided highway,  
14 highway, roadway, or street at an intersection.

15 C. Subject to Subsection A of this Section, a military surplus motor  
16 vehicle operated upon any highway of this state shall be equipped with the  
17 minimum motor vehicle equipment appropriate for motor vehicle safety,  
18 including headlamps, front and rear turn signal lamps, tail lamps, stop lamps,  
19 an exterior mirror mounted on the driver's side of the vehicle and either an  
20 exterior mirror mounted on the passenger's side of the vehicle or an interior  
21 mirror, a parking brake, an adequate windshield, a windshield wiper, a  
22 speedometer, an odometer, braking for each wheel, a seat belt assembly  
23 installed at each designated seating position, tire equipment as required by R.S.  
24 32:362, and a vehicle identification or serial number.

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



1 Forces of the United States in conformity with contractual specifications and  
2 subsequently authorized for sale to civilians. "Military surplus motor vehicle"  
3 does not include mobile construction equipment, trailers, or semitrailers.

4 \* \* \*

5 §471. Military surplus motor vehicles; special license plate

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

9 B. On receipt of an application the commissioner may issue a  
10 registration certificate and appropriately designed license plate to an owner of  
11 a military surplus motor vehicle. The owner of a military surplus motor vehicle  
12 applying for registration pursuant to this Section shall submit to the  
13 department, in the manner prescribed by the department, certification that the  
14 vehicle is capable of being safely operated on the highways of this state. The  
15 military surplus motor vehicle license plate shall be issued to a resident of  
16 Louisiana in the same manner as any other motor vehicle license plate.

17 C. The department shall collect the standard motor vehicle license tax  
18 imposed by Article VII, Section 5 of the Constitution of Louisiana, based upon  
19 the make and model of the military surplus motor vehicle.

20 D. The department shall suspend the registration of any vehicle  
21 registered under this Section that the department determines is not properly  
22 equipped or is otherwise unsafe to operate.

23 E. 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.

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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 Engrossed

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 wheeled, multipurpose or tactical vehicle manufactured for, and sold directly to, the Armed Forces of the United States in conformity with contractual specifications and subsequently authorized for sale to civilians, and does not include mobile construction equipment, trailers, or semitrailers.

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 upon a highway where the posted speed limit is 65 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.

Proposed law allows a military surplus motor vehicle to cross any divided highway, highway, roadway, or street 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, tire equipment as required by R.S. 32:362, and a vehicle identification or serial 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 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 the standard motor vehicle license tax imposed by Article 7, Section 5 of the Constitution of Louisiana based upon the make and model of the military surplus motor vehicle.

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 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)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Transportation, Highways, and Public Works to the original bill

1. Revises the definition of "military surplus motor vehicle" to mean a wheeled, multipurpose or tactical vehicle manufactured for, and sold directly to, the Armed Forces of the United States in conformity with contractual specifications and subsequently authorized for sale to civilians.
2. Changes provision to allow use of a military surplus vehicle on highways with a speed limit of 65 miles per hour.
3. Removes 35 mile per hour speed restriction and allows a military surplus motor vehicle to cross any highway at an intersection.
4. Adds tire equipment as required by R.S. 32:362 to list of safety equipment required on a military surplus motor vehicle.
5. Removes provisions that would restrict operation of a military surplus motor vehicle to the following:
  - (a) To 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 to exceed 125 miles from the address where the vehicle is stored.
6. Removes provisions that would require an applicant for a military surplus motor vehicle registration and license plate to present evidence that the applicant owns or has regular use of another passenger car, truck, or motorcycle.
7. Revises cost for military surplus motor vehicle license registration to standard motor vehicle license tax imposed by Article 7, Section 5 of the Constitution of Louisiana based upon the make and model of the military surplus vehicle.
8. Removes provisions that would authorize 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.
9. Removes provisions that would require 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.

10. Removes provisions that would prohibit registration of a military surplus motor vehicle as an antique vehicle pursuant to R.S. 47:463.8.