

2020 Regular Session

SENATE BILL NO. 329

BY SENATOR BARROW

FEES/LICENSES/PERMITS. Provides for an amnesty day for persons to pay reduced fees to OMV for insurance violations. (8/1/20)

1 AN ACT

2 To enact R.S. 32:861.3, relative to motor vehicles; to require the office of motor vehicles to
3 establish an amnesty day for persons to pay reduced fees for insurance violations; to
4 provide for terms and conditions applicable to the amnesty day; and to provide for
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 32:861.3 is hereby enacted to read as follows:

8 **§861.3. Amnesty day; office of motor vehicles; insurance violations**

9 **A. The office of motor vehicles shall develop and implement an amnesty**
10 **day for persons to pay reduced fees for insurance violations. The office shall**
11 **publicize the amnesty day to maximize the public's awareness of and**
12 **participation in the day.**

13 **B. The amnesty day shall be held on one day each month between**
14 **September 1 and December 31, 2020.**

15 **C. The amnesty day shall apply to persons with unpaid fees for insurance**
16 **violations due to the Department of Public Safety and Corrections, office of**
17 **motor vehicles, including debt for insurance violations transferred to the**

1 Department of Revenue, office of debt recovery, or the attorney general for
2 collection on August 1, 2020.

3 D. Persons with unpaid fees in the amount of one thousand dollars or
4 more are eligible to participate in the amnesty day. Amnesty payments shall be
5 paid in full on the amnesty day.

6 (1)(a) The amnesty payment for violations of R.S. 32:863(A)(1) that
7 occurred on or before June 30, 2014, shall not exceed fifty dollars per violation
8 and at no time shall the total amnesty payment for multiple violations, including
9 administrative and collection fees, exceed five hundred dollars, when the person
10 pays the amnesty payment in full on the amnesty day and provides proof of
11 insurance on any vehicle registered in the person's name on the amnesty day.

12 (b) The amnesty payment for violations of R.S. 32:863(A)(1) that
13 occurred on or after July 1, 2014, shall not exceed one hundred dollars per
14 violation and at no time shall the total amnesty payment for multiple violations,
15 including administrative and collection fees, exceed eight hundred fifty dollars,
16 when the person pays the amnesty payment in full on the amnesty day and
17 provides proof of insurance on any vehicle registered in the person's name on
18 the amnesty day.

19 (c) The amnesty payment for violations of R.S. 32:863(A)(2) that
20 occurred on or before June 30, 2014, shall not exceed fifty dollars per violation
21 and at no time shall the total amnesty payment for multiple violations, including
22 administrative and collection fees, exceed five hundred dollars, when the person
23 pays the amnesty payment in full on the amnesty day and provides proof of
24 insurance on any vehicle registered in the person's name on the date of the
25 amnesty payment.

26 (d) The amnesty payment for violations of R.S. 32:863(A)(2) that
27 occurred on or after July 1, 2014, shall not exceed one hundred dollars per
28 violation and at no time shall the total amnesty payment for fees, including
29 administrative and collection fees, exceed one thousand seven hundred fifty

1 dollars, when the person pays the amnesty payment in full on the amnesty day
2 and provides proof of insurance on any vehicle registered in the person's name
3 on the date of the amnesty payment.

4 (2)(a) No amnesty payment for a person sixty-five years or older for
5 violations that occurred on or before June 30, 2014, including administrative
6 and collection fees, shall exceed two hundred dollars.

7 (b) No amnesty payment for a person sixty-five years or older for
8 violations that occurred on or after July 1, 2014, including administrative and
9 collection fees, shall exceed two hundred fifty dollars.

10 (3)(a) No amnesty payment for a person for violations of R.S.
11 32:863(A)(1) that occurred on or before June 30, 2014, and on or after July 1,
12 2014, including administrative and collection fees, shall exceed one thousand
13 three hundred fifty dollars.

14 (b) No amnesty payment for a person who has violations of R.S.
15 32:863(A)(2) that occurred on or before June 30, 2014, and on or after July 1,
16 2014, including administrative and collection fees, shall exceed two thousand
17 two hundred dollars.

18 E. Upon receipt of the amnesty payment, the office of motor vehicles
19 shall clear the person's record at the office of motor vehicles and reinstate the
20 person's driver license and motor vehicle registration.

21 F. Notwithstanding any provision of law to the contrary, prior to July 1,
22 2020, the office of motor vehicles shall take no action to refer to the office of
23 debt recovery any debt which arises from a person's failure to pay a fee
24 pursuant to R.S. 32:863 when the debt was incurred prior to the effective date
25 of the Act which originated as Senate Bill No. of the 2020 Regular Session of
26 the Legislature.

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

DIGEST

SB 329 Original

2020 Regular Session

Barrow

Proposed law requires the office of motor vehicles (OMV) to develop and implement an amnesty day on one day each month from September 1 to December 31, 2020, and to collect fees or amnesty payments for violations R.S. 32:863 (no insurance). Requires the office to publicize the debt amnesty program to maximize the public's awareness of and participation in the program.

Proposed law provides that persons with unpaid fees for insurance violations with OMV incurred under R.S. 32:863 are eligible to participate in the debt amnesty program. Requires amnesty payments to be paid in full on the amnesty day and provides the following schedule of amnesty payments.

- (1) For violation or multiple violations of R.S. 32:863(A)(1) before July 1, 2014, the per violation amnesty payment will be \$50 and the total amnesty payment due shall not exceed \$500.
- (2) For violation or multiple violations of R.S. 32:863(A)(1) on or after July 1, 2014, the per violation amnesty payment will be \$100 and the total amnesty payment due shall not exceed \$850.
- (3) For violation or multiple violations of R.S. 32:863(A)(2) before July 1, 2014, the per violation amnesty payment will be \$50 and the total amnesty payment due shall not exceed \$500.
- (4) For violation or multiple violations of R.S. 32:863(A)(2) on or after July 1, 2014, the per violation amnesty payment will be \$100 and the total amnesty payment due shall not exceed \$1,750.
- (5) No amnesty payment for a person 65 years or older for multiple violations of R.S. 32:863(A)(1) and (2) before July 1, 2014, including administrative fees, shall exceed \$200.
- (6) No amnesty payment for a person 65 years or older for multiple violations of R.S. 32:863(A)(1) and (2) on or after July 1, 2014, including administrative fees, shall exceed \$250.

Proposed law requires the OMV to clear the debtor's record and reinstate his driver's license and motor vehicle registration upon receipt of the amnesty payment.

Effective August 1, 2020.

(Adds R.S. 32:861.3)