

2024 Regular Session

SENATE BILL NO. 162

BY SENATOR CONNICK

COMMERCIAL REGULATIONS. Provides for digital transaction providers to collect convenience charges, taxes and fees. (8/1/24)

1 AN ACT

2 To enact R.S. 47:532.4, relative to the office of motor vehicles; to provide relative to digital  
3 transactions providers; to provide relative to the collection of registration and  
4 renewal license taxes and fees; to provide relative to the collection of convenience  
5 charges, taxes and fees; to provide relative to contracts with the office of motor  
6 vehicles; to provide with respect to persons who perform services for the office of  
7 motor vehicles; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 47:532.4 is hereby enacted to read as follows:

10 **§532.4. Digital transaction provider**

11 **A.(1) The commissioner may enter into an agreement with public or**  
12 **private persons or agencies for purposes of carrying out the provisions**  
13 **authorized in R.S. 39:17.2, R.S. 39:17.5, and R.S. 39:17.6.**

14 **(2) The office of motor vehicles may deny a contract to any person,**  
15 **natural or juridical, seeking to be a digital transaction provider if that person**  
16 **has been found to be in violation of any rule or regulation promulgated by the**  
17 **office of motor vehicles.**

1           B.(1) Digital transaction provider may collect the registration and  
2           renewal license taxes and fees associated with issuance of drivers license or  
3           identification cards or for reinstatement of driving and motor vehicle  
4           registration privileges.

5           (2) Digital transaction provider shall be authorized to collect a  
6           convenience charge not to exceed the amount authorized by R.S. 47:532.1(C)  
7           provided that the charges are disclosed immediately to the consumer prior to  
8           the initiation of the transaction.

9           C. The commissioner may authorize the digital transaction provider to  
10          process additional applications or transactions.

11          D. The contract between the Department of Public Safety and  
12          Corrections, office of motor vehicles and a person who contracts to perform  
13          services pursuant to this Section shall be for a term of two years and may be  
14          automatically renewed by the Department of Public Safety and Corrections,  
15          office of motor vehicles.

16          E.(1) Each digital transaction provider shall execute a good and  
17          sufficient surety bond with a surety company qualified to do business in  
18          Louisiana as a surety, in a sum of one hundred thousand dollars, if surety bond  
19          is available for purchase, which bond shall name the Department of Public  
20          Safety and Corrections, office of motor vehicles as obligee and shall be subject  
21          to the condition that, if such digital transaction provider shall, throughout the  
22          entire term of the bond, timely file with the office of motor vehicles all  
23          applications delivered to the digital transaction provider for filing, and all fees  
24          collected by such digital transaction provider, the obligation shall be void. If the  
25          company does not do so, the obligation of the surety shall remain in full force  
26          and effect.

27          (2) The surety bond furnished pursuant to this Paragraph shall be  
28          delivered to and filed with the Department of Public Safety and Corrections,  
29          office of motor vehicles.

- 1                    **F. Digital transaction provider shall obtain a Cyber Liability Insurance**  
 2                    **with a company qualified to do business in Louisiana, in the amount of one**  
 3                    **million dollars which names the state of Louisiana, the department, the**  
 4                    **department's employees, the Office of Technology Services and its employee as**  
 5                    **additional insureds.**
- 6                    **G. The commissioner may promulgate rules necessary to implement**  
 7                    **provisions of this Section.**

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by James Benton.

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DIGEST

SB 162 Original                    2024 Regular Session                    Connick

Proposed law provides that the commissioner may enter into an agreement with public or private persons or agencies for purposes of carrying out the provisions authorized in present law.

Proposed law provides that the office of motor vehicles may deny a contract to any person, natural or juridical, seeking to be a digital transaction provider if that person has been found to be in violation of any rule or regulation promulgated by the office of motor vehicles.

Proposed law provides that the digital transaction provider may collect the registration and renewal license taxes and fees associated with issuance of drivers license or identification cards or for reinstatement of driving and motor vehicle registration privileges.

Proposed law provides that the digital transaction provider shall be authorized to collect a convenience charge not to exceed the amount authorized by present law provided that the charges are disclosed immediately to the consumer prior to the initiation of the transaction.

Proposed law provides that the commissioner may authorize the digital transaction provider to process additional applications or transactions.

Proposed law provides that the contract between the DPSC (OMV) and a person who contracts to perform services pursuant to proposed law shall be for a term of two years and may be automatically renewed by the DPSC (OMV).

Proposed law provides that each digital transaction provider shall execute a good and sufficient surety bond with a surety company qualified to do business in La. as a surety, in a sum of \$100,000, if surety bond is available for purchase, which bond shall name the DPSC (OMV) as obligee and shall be subject to the condition that, if the digital transaction provider shall, throughout the entire term of the bond, timely file with the OMV all applications delivered to the digital transaction provider for filing, and all fees collected by the digital transaction provider, the obligation shall be void.

Proposed law provides that the surety bond furnished pursuant to proposed law shall be delivered to and filed with the DPSC (OMV).

Proposed law provides that the digital transaction provider shall obtain a cyber liability insurance with a company qualified to do business in La., in the amount of \$1 million which names the state of La., the department, the department's employees, the Office of

Technology Services and its employee as additional insureds.

Proposed law provides that commissioner may promulgate rules necessary to implement provisions of proposed law.

Effective August 1, 2024.

(Adds R.S. 47:532.4)