

2024 Regular Session

HOUSE BILL NO. 475

BY REPRESENTATIVE BOURRIAQUE

REVENUE/TAXATION DEPT: Provides for digital transaction providers

1 AN ACT

2 To enact R.S. 47:532.4, relative to digital transaction providers; to authorize the
3 commissioner to enter into agreements related to digitized credentials; to authorize
4 digital transaction providers to collect fees and process applications and transactions;
5 to provide for terms of contracts with digital transaction providers; to require surety
6 bond and insurance for digital transaction providers; and to provide for related
7 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 digital transaction
12 providers, who may be private persons or public or private agencies, for the purpose
13 of carrying out the provisions authorized in R.S. 39:17.2 and R.S. 39:17.5.

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

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

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

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

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

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

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

28 F. Digital transaction providers shall obtain a cyber liability insurance policy
29 with a company qualified to do business in Louisiana in the amount of one million

1 dollars, which names the state of Louisiana, the department, the department's
2 employees, and the office of technology services and its employees as additional
3 insureds.

4 G. The commissioner may promulgate rules necessary to implement the
5 provisions of this Section.

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 475 Original

2024 Regular Session

Bourriaque

Abstract: Authorizes the commissioner to enter into agreements related to digitized credentials. Provides for digital transaction providers to collect fees and process applications and transactions and provides for terms of contracts with digital transaction providers. Requires a surety bond and insurance for digital transaction providers.

Proposed law allows the commissioner to enter into an agreement with public or private persons or agencies to be digital transaction providers who can provide and renew digital credentials and provides a contract can be denied if the person or organization has violated any rule or regulation of the office of motor vehicles.

Proposed law provides that digital transaction providers may collect registration license taxes and fees and may collect a convenience charge as provided in present law.

Proposed law allows the commissioner to authorize the digital transaction provider to process additional applications or transactions.

Proposed law provides for the term of the contract to be for a term of two years and to be automatically renewed.

Proposed law provides that the digital transaction provider must execute a surety bond of \$100,000 naming the Dept. of Public Safety and Corrections, office of motor vehicles, as obligee. Further provides the surety bond must be delivered to the Dept. of Public Safety and Corrections, office of motor vehicles.

Proposed law requires the digital transaction provider to acquire a cyber liability insurance policy for \$1,000,000 that names the state of La., the Dept. of Public Safety and Corrections, office of motor vehicles, department employees, and the office of technology services and its employees as additional insureds.

Proposed law allows for the commissioner to promulgate rules as necessary to implement proposed law.

(Adds R.S. 47:532.4)