

2026 Regular Session

SENATE BILL NO. 293

BY SENATOR TALBOT

TREASURY DEPARTMENT. Transfers certain responsibilities from the office of the treasurer to the office of motor vehicles. (8/1/26)

1 AN ACT

2 To amend and reenact R.S. 32:861(A)(1) and (C), 863(A)(4), 863.1(A)(3), 863.2(A)(1), (B),
3 (C), (F)(5), 904, 906, and 908(A), relative to the Motor Vehicle Safety
4 Responsibility Law; to transfer certain functions of the office of the state treasury to
5 the office of motor vehicles; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 32:861(A)(1) and (C), 863(A)(4), 863.1(A)(3), 863.2(A)(1), (B), (C),
8 (F)(5), 904, 906, and 908(A) are hereby amended and reenacted to read as follows:

9 §861. Security required

10 A.(1) Every self-propelled motor vehicle registered in this state except those
11 motor vehicles used as agricultural or forest vehicles during seasons when they are
12 not used on the highway, those used primarily for exhibit or kept primarily for use
13 in parades, exhibits, or shows, and lease-bound mobile rig haulers as defined in
14 Subsection D of this Section, shall be covered by an automobile liability policy with
15 liability limits as defined by R.S. 32:900(B)(2) or 900(M), or a binder for same, or
16 by a motor vehicle liability bond as defined by Subsection B of this Section, or by
17 a certificate of the ~~state treasurer~~ **commissioner of the office of motor vehicles**

1 stating that cash or securities have been deposited or securitized with ~~said treasurer~~
 2 **the office of motor vehicles** as provided by Subsection C of this Section, or by a
 3 certificate of self-insurance as provided by R.S. 32:1042.

4 * * *

5 C.(1)(a) The applicant for registration may, in lieu of procuring a motor
 6 vehicle liability bond or policy, deposit with the ~~state treasurer~~ **commissioner of the**
 7 **office of motor vehicles** cash in the amount of fifty-five thousand dollars, or
 8 otherwise pledge, assign, or securitize, to the satisfaction of the ~~state treasurer~~
 9 **commissioner of the office of motor vehicles** on such forms and documents as he
 10 shall require, which shall constitute a lien thereon in favor of the ~~treasurer~~ **office of**
 11 **motor vehicles** for the liabilities set forth in this Section and authorize him to sell
 12 same pursuant to Subparagraph (c) of this Paragraph, bonds, stocks, securities, or
 13 other evidences of indebtedness satisfactory to ~~said treasurer~~ **the commissioner of**
 14 **the office of motor vehicles** of a market value of not less than fifty-five thousand
 15 dollars as security for the payment by such applicant or by any person responsible
 16 for the operation of such applicant's motor vehicle with his express or implied
 17 consent of all judgments rendered against such applicant or against such person in
 18 actions to recover damages to property or for bodily injuries, including death at any
 19 time resulting therefrom, and judgments rendered as aforesaid for consequential
 20 damages consisting of expenses incurred by a husband, wife, parent, or tutor for
 21 medical, nursing, hospital, or surgical services in connection with or on account of
 22 such bodily injuries or death sustained during the term of registration by any person
 23 and arising out of the ownership, operation, maintenance, control, or use upon the
 24 highways and roads of the state of such motor vehicle to the amount or limit of at
 25 least twenty-five thousand dollars on account of any such judgment for damages to
 26 property or to the amount of fifteen thousand dollars for bodily injury or death to any
 27 one person or to the amount of thirty thousand dollars for bodily injury or death to
 28 more than one person.

29 (b) Upon presentation to the ~~state treasurer~~ **commissioner of the office of**

1 **motor vehicles** by an officer qualified to serve civil process of an execution issued
2 on any such judgment against the registrant or other person responsible as aforesaid,
3 the ~~treasurer~~ **commissioner** shall pay, out of the cash deposited by the registrant as
4 herein provided, the amount of the execution, including costs and interest, up to but
5 not in excess of twenty-five thousand dollars for damages to property or fifteen
6 thousand dollars to any one person for damages for bodily injury or death or thirty
7 thousand dollars for bodily injury or death to more than one person.

8 (c) If the registrant has deposited, or otherwise pledged, assigned, or
9 securitized pursuant to Subparagraph (a) of this Paragraph, bonds, stocks, securities,
10 or other evidences of indebtedness, the ~~state treasurer~~ **commissioner of the office**
11 **of motor vehicles** shall, on presentation of an execution as aforesaid, cause the
12 securities, or such part thereof as may be necessary to satisfy the judgment, to be
13 sold at public auction giving the registrant three days' notice in writing of the time
14 and place of the sale. From the proceeds of the sale the ~~state treasurer~~ **commissioner**
15 **of the office of motor vehicles** shall, after paying the expenses thereof, satisfy the
16 execution as hereinbefore provided when a cash deposit has been made.

17 (d) Any sale by or payment upon an execution by the ~~state treasurer~~
18 **commissioner of the office of motor vehicles** in accordance with the provisions of
19 this Section shall discharge him from all official and personal liability whatever to
20 the registrant to the extent of such payment.

21 (e) The ~~state treasurer~~ **commissioner of the office of motor vehicles** shall
22 deposit any cash received under the provisions of this Section in a savings bank or
23 savings department of a trust company or of a national bank within the state.

24 (f) The depositor shall be entitled to the interest accruing on his deposit and
25 to the income payable on the securities deposited. He may from time to time change
26 such securities with the approval of the ~~state treasurer~~ **commissioner of the office**
27 **of motor vehicles.**

28 (g) The ~~state treasurer~~ **commissioner of the office of motor vehicles,**
29 whenever for any reason the amount of such deposit falls below the amount required

1 by this Section, shall require, at the option of the registrant, the deposit of additional
2 cash or securities up to the amount required by this Section or a motor vehicle
3 liability bond or policy as provided in this Chapter.

4 (h) Money or securities deposited with the ~~state treasurer~~ **office of motor**
5 **vehicles** under the provisions of this Section shall not be subject to attachment or
6 execution except as provided in this Section.

7 (2) The ~~state treasurer~~ **commissioner of the office of motor vehicles** shall
8 give to the applicant for registration a receipt on a form prescribed by the ~~treasurer~~
9 **commissioner of the office of motor vehicles** for the amount of cash or securities
10 deposited, or pledged, assigned, or securitized by him with the ~~treasurer~~ **office of**
11 **motor vehicles** under this Chapter. The ~~state treasurer~~ **commissioner of the office**
12 **of motor vehicles** shall retain such cash or securities deposited or securitized as
13 aforesaid and shall not deliver or release the lien on the same or the balance thereof
14 to the registrant on his order until the expiration of the time within which actions, the
15 payment of judgments in which are secured by such deposit, may be brought against
16 the registrant or the person responsible for the operation of the registrant's motor
17 vehicle with his express or implied consent, nor in any case if a written notice is filed
18 with the ~~state treasurer~~ **office of motor vehicles** stating that ~~such an~~ **the** action has
19 been brought against the registrant or other person responsible as aforesaid, until
20 payment is made as provided in this Subsection or satisfactory evidence is presented
21 to the ~~treasurer~~ **commissioner of the office of motor vehicles** that final disposition
22 of the action has been made.

23 * * *

24 §863. Sanctions for false declaration; reinstatement fees; revocation of registration;
25 review

26 A.(1) * * *

27 * * *

28 (4) Fees shall be paid to the secretary, who shall remit them to the ~~state~~
29 ~~treasurer~~ **office of motor vehicles** to be credited to the Bond Security and

1 Redemption Fund as provided in R.S. 32:853(B)(2).

2 * * *

3 §863.1. Evidence of compulsory motor vehicle liability security contained in
4 vehicle; enforcement; penalty; fees

5 A. Except as provided in R.S. 32:863.1.1, no owner or lessee of a
6 self-propelled motor vehicle registered in this state, except a motor vehicle used
7 primarily for exhibit or kept primarily for use in parades, exhibits, or shows, or
8 agricultural or forest use vehicles during seasons when they are not used on the
9 highways, shall operate or allow the operation of such vehicle upon any public road,
10 street, or highway in this state unless there is contained within the vehicle one of the
11 following documents evidencing that the motor vehicle is in compliance with R.S.
12 32:861 relative to compulsory motor vehicle liability security:

13 * * *

14 (3) A certificate of the ~~state treasurer~~ **commissioner of the office of motor**
15 **vehicles** stating that cash or securities have been deposited with ~~said treasurer~~ **the**
16 **office of motor vehicles** as provided for under the provisions of R.S. 32:861(C).

17 * * *

18 §863.2. Notification of the cancellation or issuance of security; penalties; database
19 development

20 A.(1) All entities providing security in compliance with R.S. 32:861 et seq.,
21 hereinafter referred to as "security providers", whether admitted or nonadmitted
22 (surplus line underwriter) insurance companies providing automobile liability
23 policies, or sales representatives or agents of surety companies issuing motor vehicle
24 liability bonds, or the ~~state treasurer~~ **office of motor vehicles** holding deposits, shall
25 notify the secretary of the effective dates of each liability policy, liability bond,
26 deposit, or other security within fifteen business days from the date that notice of
27 such policy, bond, deposit, or other security was issued by the security provider.

28 * * *

29 B. When a security provider does not provide the deputy secretary of public

1 safety services of the Department of Public Safety and Corrections with the
2 information required by this Section within the time limits set forth in this Section,
3 the insurance company, sales representative or agent, ~~state treasurer~~ **the office of**
4 **motor vehicles**, or other provider shall pay a late fee of not more than fifty dollars
5 per policy, bond, or deposit, or other security item concerning which information is
6 not supplied. If the security provider has reported this information for a policy, bond,
7 deposit, or other security item for a commercial motor vehicle in an untimely
8 manner, the deputy secretary shall impose the late fee unless the deputy secretary
9 determines that the security provider made a good faith effort to comply with these
10 requirements but the delay was caused by circumstances outside the security
11 provider's control. All fees collected under this Subsection shall be deposited in the
12 Bond Security and Redemption Fund as provided in R.S. 32:853(B)(2).

13 C. The secretary shall keep a record of the information received from security
14 providers concerning coverage of vehicles and persons by security required by R.S.
15 32:861, which information may be stored through automated electronic data
16 processing means. After the department has complete vehicle liability security
17 records, upon written request including the driver's license number for each person,
18 the vehicle identification number for each vehicle, and the payment of a fee of fifteen
19 dollars for each vehicle owned by a person about which inquiry is made, the
20 secretary shall forward to the inquiring party such vehicle and driver liability
21 security information as is contained in the records of the department. If the
22 department's search of its records fails to show the existence of any liability
23 insurance or other security as of the date about which inquiry is made, an official of
24 the department will issue a sworn, notarized affidavit to that effect. Such an affidavit
25 shall be prima facie evidence that on the date in question, the person or vehicle about
26 which inquiry was made did not have in effect a policy of liability insurance or other
27 security as required by law. The fee collected pursuant to this Section shall be
28 remitted by the secretary to the ~~state treasurer~~ **commissioner of the office of motor**
29 **vehicles** to be credited to the Bond Security and Redemption Fund as provided in

1 R.S. 32:853(B)(2).

2 * * *

3 F.(1) * * *

4 * * *

5 (5) The secretary shall require such information as may be necessary from
6 automobile insurers or their representatives and the ~~state treasurer~~ **commissioner of**
7 **the office of motor vehicles** as is needed to assist the contractor in developing the
8 system as such relates to the cancellation or issuance of motor vehicle liability
9 security or deposit of sufficient security with the ~~state treasurer~~ **office of motor**
10 **vehicles** in order to operate a motor vehicle in this state.

11 * * *

12 §904. Money or securities as proof

13 A.(1) Proof of financial responsibility may be evidenced by the certificate of
14 the ~~state treasurer~~ **commissioner of the office of motor vehicles** that the person
15 named therein has deposited with him thirty thousand dollars in cash or securities
16 such as may legally be purchased by savings banks or for trust funds of a market
17 value of thirty thousand dollars.

18 (2) The ~~state treasurer~~ **commissioner of the office of motor vehicles** shall not
19 accept any such deposit and issue a certificate therefor and the commissioner shall
20 not accept such certificate unless accompanied by evidence that there are no
21 unsatisfied judgments of any character against the depositor in the parish where the
22 depositor resides.

23 B. ~~Such~~ **The** deposit shall be held by the ~~State Treasurer~~ **commissioner of**
24 **the office of motor vehicles** to satisfy, in accordance with the provisions of this
25 Chapter, any execution on a judgment issued against such person making the deposit,
26 for damages, including damages for care and loss of services, because of bodily
27 injury to or death of any person, or for damages because of injury to or destruction
28 of property, including the loss of use thereof, resulting from the ownership,
29 maintenance, use or operation of a motor vehicle after such deposit was made.

