

SENATE BILL NO. 348

BY SENATOR EDMONDS

1 AN ACT

2 To enact R.S. 33:1420.40, relative to law enforcement; to authorize certain local law  
3 enforcement officials and agencies to contract for administrative and logistical  
4 assistance related to motor vehicle regulatory enforcement; to provide for  
5 limitations; to prohibit the delegation of police powers; and to provide for related  
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 33:1420.40 is hereby enacted to read as follows:

9 A. Notwithstanding any provision of law to the contrary, a sheriff,  
10 municipal police department, or other local law enforcement agency may enter  
11 into a contract with a licensed private service provider to provide  
12 administrative and logistical assistance related to motor vehicle regulatory  
13 enforcement, provided that a commissioned law enforcement officer has  
14 initiated the enforcement action. A "service provider" for purposes of this  
15 Section means any third party contractor providing services to law enforcement  
16 for a city, municipality, or other local law enforcement entity.

17 B. A service provider operating pursuant to this Section may perform  
18 the following functions:

19 (1) Plate processing and administrative handling of documentation.

20 (2) Electronic verification of motor vehicle registration, insurance, or  
21 compliance data using systems authorized by the office of motor vehicles.

22 (3) Preparation, generation, mailing, or electronic transmission of notices  
23 of noncompliance or other administrative notices following issuance by a law  
24 enforcement officer.

25 (4) Administrative coordination with towing or storage facilities at the  
26 direction of a law enforcement officer.

27 (5) Recordkeeping, data entry, reporting, and other administrative tasks

1 required by law or by the contracting law enforcement agency.

2 C.(1) All services performed by a service provider pursuant to this  
3 Section shall be performed only pursuant to documented direction of the  
4 contracting law enforcement agency. After a lawful enforcement action has been  
5 initiated by a commissioned law enforcement officer, a motorist may voluntarily  
6 execute a written waiver consenting to:

7 (a) The voluntary surrender of the vehicle license plate by the motorist.

8 (b) The administrative handling of the license plate by a private service  
9 provider.

10 (2) A waiver executed pursuant to this Subsection shall be voluntary,  
11 documented in writing or electronic form, and retained in accordance with law  
12 enforcement record keeping. No waiver executed pursuant to this Section shall  
13 be construed to substitute for the lawful authority or actions of a commissioned  
14 law enforcement officer.

15 D. Nothing in this Section shall be construed to grant police powers or  
16 law enforcement authority to a service provider.

17 E. The provisions of this Section shall be applicable only to  
18 municipalities incorporated after October 1, 2019.

19 F. The provisions of this Section shall terminate on July 31, 2028.

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_