

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: _____