
DIGEST

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Garofalo

HB No. 960

Abstract: Provides for notifications for a habitual offender.

Present law provides that the department shall issue a written notice and a copy of the abstract to the person named in the abstract directing him to show cause why he should not be declared a habitual offender.

Proposed law provides that the department shall issue a written notice and a copy of the abstract to the person named in the abstract advising him his driving privileges will be revoked as a habitual offender.

Present law provides that the notice shall state the time, place, and cause of the hearing which shall be not less than ten nor more than 30 calendar days from the date of the notice.

Proposed law provides that the notice shall advise the person that he has no more than 30 days from the date of the notice to contest the habitual offender status by requesting an administrative hearing.

Present law provides that all notices shall be served on the person named in the abstract in accordance with R.S. 32:6.

Proposed law provides that all notices shall be sent by certified mail return receipt requested marked by the U.S. Post Office to the person named in the abstract. Also provides that the department's abstract derived from the records regarding the person's driver history shall be prima facie proof of the convictions used as the basis for determining the person is a habitual offender.

(Amends R.S. 32:1475)