
SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Gary Smith to Reengrossed House Bill No. 929 by Representative Badon

AMENDMENT NO. 1

Delete Senate Committee Amendment No. 2, proposed by the Senate Committee on Transportation, Highways, and Public Works, and adopted by the Senate on May 13, 2014.

AMENDMENT NO. 2

On page 1, line 8, after "restrictions;" insert "to provide for suspensions for certain violations;"

AMENDMENT NO. 3

On page 2, line 17, after "means any" insert "privately owned parking facility at any location or any"

AMENDMENT NO. 4

On page 2, at the end of line 21, insert "parking facility."

AMENDMENT NO. 5

On page 2, line 22, after "lot" insert a comma ","

AMENDMENT NO. 6

On page 2, delete lines 24 through 28, and on page 3, delete lines 1 through 3, and insert:

"C.(1) Any person engaged in the business of booting motor vehicles parked on private property in any parish or municipality in the state of Louisiana shall comply with all the requirements of this Chapter and all the licensing and other requirements of any ordinance regulating such business of the parish or municipality in which the person engages in such business.

(2) Any parish or municipality may levy an annual fee for licensing persons to engage in the business of booting motor vehicles parked on private property in the parish or municipality.

(3) No person shall engage in the business of booting motor vehicles unless such person shall do both of the following:

(a) Maintain minimum insurance coverage in the amount of one million dollars in general liability, one million dollars in commercial auto, one million dollars in garage liability, fifty thousand dollars in garage keepers, one million dollars in errors and omissions, one million dollars in umbrella coverage, and shall have workers' compensation coverage on all employees.

(b) Show proof of financial responsibility by depositing with the parish or municipality a continuing bond with a commercial surety authorized to do business in the state and approved by the parish or municipality in the amount of ten thousand dollars payable to the parish or municipality, which bond shall be conditioned upon faithful observance of all the provisions of this Chapter and any ordinances of the parish or municipality with respect to the business of booting motor vehicles on private property, and shall also indemnify any person who suffers any loss by reason of a failure to observe such provisions of this Chapter or such parish or municipal ordinance, or any person who suffers any loss, damages, and expenses by reason of a failure to properly boot a vehicle."

1 AMENDMENT NO. 72 On page 3, line 5, delete "is the owner of said property or"3 AMENDMENT NO. 84 On page 3, delete lines 8 through 29, and on page 4, delete lines 1 and 2 and insert in lieu
5 thereof:6 "(2) No person shall boot a motor vehicle parked on private property unless
7 a sign is posted at each lot entrance. In addition, each sign shall contain the
8 information which may be prescribed by the parish or municipality and shall include
9 all of the following:10 (a) The signs shall be at least eighteen inches wide and twenty-four inches
11 tall and shall be made of weather resistant material.12 (b) In lettering at least two inches tall in height and in a solid color that
13 contrasts with the background the sign shall read "Towing and Booting Enforced"
14 or "Booting Enforced" as is applicable to the property.15 (c) In lettering at least one inch in height and in a solid color that contrasts
16 with the background the sign shall clearly state the following:17 (i) The name and phone number of the booting company including the area
18 code and the amount of the boot removal fee and, in the case of a pay-to-park lot, a
19 statement that unpaid parking fees will also be collected.20 (ii) Statement that "Unauthorized vehicles will be towed or booted at owner's
21 or operator's expense."22 (iii) A statement describing who may park in the parking facility or the
23 private property, such as "Paid Customer Parking Only", "Permit Parking Only",
24 "Resident Parking Only", or similar statement.25 (iv) In the case of pay-to-park lots, the sign shall state how to pay.26 (3) No charge in excess of the amount contained on the signs required by this
27 Subsection shall be imposed to release a booted motor vehicle. In addition, no boot
28 removal fee or any other amount shall be charged therefor if personnel responsible
29 for removing the boot do not arrive within ninety minutes of the call or other
30 notification that the owner or operator of the vehicle requests removal of the boot.31 (4) The phone number required to be stated on the signs required by
32 Paragraph (2)(c)(i) of this Subsection shall be in operation twenty-four hours a day
33 and shall be manned by a live operator.34 (5) No person shall boot a motor vehicle parked on private property or a pay-
35 to-park lot because the motor vehicle is improperly parked in a marked space on such
36 private property or a pay-to-park lot unless the person booting the vehicle obtains
37 photographic proof sufficient to clearly show the improper parking, whether by cell
38 phone photograph or otherwise.39 E. (1) It shall be unlawful for any person, either as principal, agent, or
40 employee, to operate any vehicle to engage in or operate, or assist in the engagement
41 or operation of, a business engaged in booting motor vehicles on private property
42 unless the vehicle shall have displayed on each side in plain view the name of the
43 business, the address from which the business is operating, and a phone number with
44 area code of the business. The lettering shall be at least two inches in height and
45 shall be in a contrasting color to the vehicle. Information may be on a removable
46 magnet, so it can be removed when the vehicle is not in service.47 (2) Business identification shall be visibly worn by vehicle booting agents at
48 all times while booting and accepting payment."49 AMENDMENT NO. 950 On page 4, line 7, delete "business license" and on line 8, delete "number" and insert "Parish
51 or Municipal Occupational License Number"52 AMENDMENT NO. 1053 On page 4, line 8, after "as well as" change "a" to "the same twenty-four hour"

1 AMENDMENT NO. 11

2 On page 4 line 9, after "number" insert "required by Paragraph (D)(2)(i) and (4)

3 AMENDMENT NO. 12

4 On page 4, line 10, after "boot and" delete the remainder of the line, and insert:

5 "a statement that no fee shall be due if personnel responsible for removing the boot
6 do not arrive within ninety minutes of the call or other notification that the driver
7 requests removal of the boot."

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9 AMENDMENT NO. 13

10 On page 4, line 13, after "no charge." insert:

11 "The personnel responsible for removing the boot shall be capable of accepting
12 payment by credit or debit card as well as cash. However, no boot removal fee or
13 other charge therefor shall be due if personnel responsible for removing the boot do
14 not arrive within ninety minutes of the call or other notification that the driver
15 requests removal of the boot."

16 AMENDMENT NO. 14

17 On page 4, line 18, change "business license number" to "Parish or Municipal Occupational
18 License Number"

19 AMENDMENT NO. 15

20 On page 4, line 20, change "business license" to "Parish or Municipal Occupational License"

21 AMENDMENT NO. 16

22 On page 4, line 21, change "the telephone number for" to "any telephone number which has
23 been designated by the parish or municipality as"

24 AMENDMENT NO. 17

25 On page 4, line 23, after "booting" delete the remainder of the line, delete line 24, and insert
26 ", if any."

27 AMENDMENT NO. 18

28 On page 4, line 25, after "shall have" change "the" to "such"

29 AMENDMENT NO. 19

30 On page 4, line 27, after "booted" insert "as may be granted by ordinance of the parish or
31 municipality"

32 AMENDMENT NO. 20

33 On page 4, at the end of line 29, insert:

34 "The receipt provided for in Paragraphs (2) and (3) of this Subsection shall advise
35 the owner or operator of a booted vehicle of his right under parish or municipal
36 ordinance to ask for and receive such hearing."

37 AMENDMENT NO. 21

38 On page 4, after line 29, insert:

1 "I. A parking facility operation company, valet company, or a general
2 manager of a parking facility may not have a direct or indirect monetary or
3 ownership interest in a business engaged in booting motor vehicles on private
4 property which, for compensation, boots unauthorized vehicles in a parking facility.
5 A parking facility operating company, valet company, or general manager of a
6 parking facility in which vehicles are booted may not accept any rebate,
7 compensation, or other valuable consideration, directly or indirectly, from the owner
8 or operator of a business engaged in booting motor vehicles on private property in
9 connection with the booting of vehicles, other than the collected unpaid parking fees.

10 J. A first violation of this Chapter by a person engaged in the business of
11 booting motor vehicles parked on private property shall subject such person to a
12 warning, a subsequent violation shall subject such person to a suspension of the
13 violator's right to engage in the business of booting motor vehicles on private
14 property."

15 AMENDMENT NO. 22

16 On page 5, line 1, change "I." to "K."