

GREEN SHEET REDIGEST

HB 481

2016 Regular Session

James

(KEYWORD, SUMMARY, AND DIGEST as amended by Senate committee amendments)

Provides relative to the issuance and possession of drivers' licenses.

DIGEST

Present law requires that a licensee have his license in his immediate possession at all times when driving a motor vehicle.

Proposed law modifies present law by authorizing a licensee to have a digitized driver's license provided by the Dept. of Public Safety and Corrections, office of motor vehicles, as an alternative to his physical license.

Proposed law defines digitized driver's license as a data file available on any mobile device which has connectivity to the internet through an application, which allows the mobile device to download the data file from the department or an authorized representative of the department, which contains all of the data elements visible on the face and back of the physical license and the current status of the license and provides that a copy, photograph, or image of a driver's license not downloaded through the application on a mobile device is not a valid digitized driver's license.

Proposed law prohibits issuance of a citation, in connection with a traffic stop or checkpoint, for driving a motor vehicle without a valid license in his possession if a person presents a digitized driver's license to a law enforcement officer in lieu of a physical driver's license issued by the department.

Proposed law authorizes a law enforcement officer or a representative of the department to require a person to produce the physical driver's license issued by the department, except as provided for in proposed law, and provides that the failure to produce such physical driver's license subjects the person to all applicable laws and consequences for failure to produce such license.

Proposed law requires the department to establish rules necessary to implement a digitized driver's license.

Proposed law specifies that display of a digitized driver's license does not serve as consent or authorization for a law enforcement officer, or any other person, to view, search, or access any other data or application on the mobile device and requires that a law enforcement officer promptly return the mobile device to the person once he has had an opportunity to verify the identity and license status.

Proposed law places a limit on the fee to install the application to a mobile device to six dollars.

Present law requires the secretary of the Dept. of Public Safety and Corrections to issue evidence of renewal of Class "D" or "E" drivers' licenses, which must be affixed to the previously issued license, to indicate the date the license expires in the future when a license is renewed by mail or electronic commerce.

Proposed law modifies present law by requiring the secretary to issue a new license which indicates the new expiration date when a license is renewed by mail or electronic commerce.

(Amends R.S. 32:411(F)(1) and 412(D)(6); Adds R.S. 32:411(F)(3))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Transportation, Highways and Public Works to the original bill:

1. Make technical changes.
2. Authorize a licensee to have a digitized driver's license provided by the Dept. of Public Safety and Corrections, office of motor vehicles, as an alternative to his physical license.
3. Define digitized driver's license as a data file available on any mobile device which has connectivity to the internet through an application, which allows the mobile device to download the data file from the department or an authorized representative of the department, which contains all of the data elements visible on the face and back of the physical license and the current status of the license and provide that a copy, photograph, or image of a driver's license not downloaded through the application on a mobile device is not a valid digitized driver's license.
4. Prohibit the issuance of a citation, in connection with a traffic stop or checkpoint, for driving a motor vehicle without a valid license in his possession if a person presents a digitized driver's license instead of a physical driver's license to a law enforcement officer.
5. Authorize a law enforcement officer or department representative to require a person to produce the physical driver's license issued by the department, except as provided for in proposed law, and provides that the failure to produce such physical driver's license subjects the person to all applicable laws and consequences for failure to produce such license.
6. Require the department to establish rules necessary to implement a digitized driver's license.
7. Specify that display of a digitized driver's license to a law enforcement officer, or any other person, does not permit the officer or other person to search, view, or access any other data or application on the mobile device and that the mobile device must be promptly returned to the owner once his identity and license status has been verified.

The House Floor Amendments to the engrossed bill:

1. Make technical changes.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Transportation, Highways, and Public Works to the reengrossed bill

1. Make technical changes.
2. Places a limit on the fee for the installation of the application.