HLS 19RS-759 ORIGINAL

2019 Regular Session

HOUSE BILL NO. 223

1

BY REPRESENTATIVE BRASS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

MTR VEHICLE/TOWING: Provides with respect to towing and storage licenses and fines

AN ACT

2	To amend and reenact R.S. 32:1714(3) and 1724(A) and to enact R.S. 32:1717.1(C), relative
3	to towing and storage licenses and fines; to provide a maximum fine for violations
4	of the Louisiana Towing and Storage Act; to provide guidelines for suspension or
5	revocation of licenses for violations of the Louisiana Towing and Storage Act; and
6	to provide for related matters.
7	Be it enacted by the Legislature of Louisiana:
8	Section 1. R.S. 32:1714(3) and 1724(A) are hereby amended and reenacted and R.S.
9	32:1717.1(C) is hereby enacted to read as follows:
10	§1714. Powers and duties of the office of state police
11	The Department of Public Safety and Corrections, office of state police
12	subject to the provisions of the Administrative Procedure Act, shall:
13	* * *
14	(3) Adopt and levy fines for violation of this Chapter or any rule or
15	regulation adopted pursuant to this Chapter. The administrative fine for each
16	violation of this Chapter, or of the regulations adopted pursuant thereto, shall not
17	exceed the sum of five hundred dollars.
18	* * *
19	§1717.1. Licensing; storage facility inspection; fee
20	* * *

Page 1 of 3

1 C. The Department of Public Safety and Corrections, office of state police, may suspend or revoke the storage inspection license required by this Section for one 2 or more violations of this Chapter or of the regulations adopted pursuant thereto. In 3 4 determining the length of the suspension, or for the necessity of revocation, the department shall consider the gravity of the violation or violations, the history of 5 6 previous offenses, and any other matters that justice requires. 7 8 §1724. Administrative penalties 9 A.(1) Any person who fails to comply with any provision required by this 10 Chapter shall forfeit all claims for towing services and storage of such vehicles and 11 shall be subject to an administrative fine. Each day's failure to make such a report 12 as required hereunder shall constitute a separate offense. 13 (2) The administrative fine for each violation of this Chapter, or of the 14 regulations adopted pursuant thereto, shall not exceed the sum of five hundred 15 dollars. 16

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 223 Original

2019 Regular Session

Brass

Abstract: Limits the fine for violations of the La. Towing and Storage Act to \$500. Provides guidelines for suspension and revocation of licenses for violation of the Act.

<u>Present law</u> requires the Dept. of Public Safety and Corrections, office of state police, to adopt and levy fines for violation of the La. Towing and Storage Act.

Proposed law limits the fine to not more than \$500.

<u>Proposed law</u> authorizes the Dept. of Public Safety and Corrections, office of state police, to suspend or revoke a company's storage and inspection license for one or more violations of the La. Towing and Storage Act or the regulations adopted pursuant thereto.

<u>Proposed law</u> requires the Dept. of Public Safety and Corrections, office of state police, to consider the gravity of the violation or violations, the history of previous offenses, and any other matter that justice requires when determining the length of suspension or necessity of a revocation.

Page 2 of 3

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

<u>Present law</u> requires a fine be issued to any person who fails to comply with any provision required by the La. Towing and Storage Act and forfeit all claims for towing services and storage of such vehicles.

Proposed law limits the fine to not more than \$500.

(Amends R.S. 32:1714(3) and 1724(A); Adds R.S. 32:1717.1(C))