

2019 Regular Session

SENATE BILL NO. 3

BY SENATORS MIZELL, CORTEZ, FANNIN, HEWITT, LONG, PRICE AND GARY SMITH

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

MOTOR VEHICLES. Provides authority for the commissioner of the OMV to waive any penalty, procedure, or requirement for failure to maintain insurance provided that the principal driver of the motor vehicle is the registered owner or owner's spouse or child who was in the hospital or has died, and the owner can provide such proof to the commissioner.
(gov sig)

1 AN ACT

2 To enact R.S. 32:861.2, relative to motor vehicles; to provide authority to the commissioner
3 of the Department of Public Safety and Corrections, public safety services, office of
4 motor vehicles, to waive any and all penalty, procedure, and requirement, for failure
5 to maintain compulsory motor vehicle liability security for just cause in certain
6 circumstances; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 32:861.2 is hereby enacted to read as follows:

9 **§861.2. Waive penalty, procedure, or requirement; authority**

10 **Notwithstanding the provisions of R.S. 32:861, or the provision of any**
11 **other law to the contrary that provides for or requires the assessment of a**
12 **penalty, procedure, or requirement to the contrary for a registered owner's**
13 **failure to maintain compulsory motor vehicle liability security, the**
14 **commissioner of the Department of Public Safety and Corrections, public safety**
15 **services, office of motor vehicles, may waive any penalty, procedure, or**
16 **requirement if the motor vehicle liability security expired or cancelled when the**
17 **motor vehicle's principal driver was the registered owner or owner's spouse or**

1 **child who was in the hospital or has died, and the registered owner presents**
 2 **proof of such exceptional circumstance to the commissioner.**

3 Section 2. This Act shall become effective upon signature by the governor or, if not
 4 signed by the governor, upon expiration of the time for bills to become law without signature
 5 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 6 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 7 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part
 of the legislative instrument, were prepared by Sharon F. Lyles.

DIGEST

SB 3 Engrossed

2019 Regular Session

Mizell

Present law requires motor vehicles used on highways to be covered by motor vehicle liability security and requires the registered owner of a motor vehicle to maintain the security.

Proposed law authorizes the commissioner of the DPS&C, public safety services, office of motor vehicles, to waive any penalty, procedure, or requirement if the motor vehicle liability security expired or cancelled when the motor vehicle's principal driver was the registered owner or owner's spouse or child who was in the hospital or has died, and the registered owner presents proof of such exceptional circumstance to the commissioner.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 32:861.2)

Summary of Amendments Adopted by Senate

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

1. Adds that provisions apply to a registered owner.