

2019 Regular Session

HOUSE BILL NO. 223

BY REPRESENTATIVE BRASS

1 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 * * *

21 C.(1) The Department of Public Safety and Corrections, office of state
22 police, may initiate an administrative action to suspend the storage license pursuant
23 to the provisions of this Chapter for either of the following:

24 (a) Repeat violations of any provision of this Chapter.

- 1 (b) The failure to meet requirements for the issuance of a storage license.
- 2 (2) Except as otherwise provided for in R.S. 49:961(C), no suspension
- 3 imposed pursuant to the provisions of this Chapter shall exceed thirty days.
- 4 (3) Revocation may be issued for three or more suspensions.
- 5 (4) Prior to the suspension or revocation of any license, the licensee shall
- 6 have the opportunity for an impartial hearing held in accordance with the
- 7 Administrative Procedure Act.
- 8 (5) For purposes of this Subsection, "repeat violations" means three or more
- 9 violations of the same administrative rule or regulation within a two-year period.

* * *

§1724. Administrative penalties

- 12 A.(1) Any person who fails to comply with any provision required by this
- 13 Chapter shall forfeit all claims for towing services and storage of such vehicles and
- 14 shall be subject to an administrative fine. Each day's failure to make such a report
- 15 as required hereunder shall constitute a separate offense.
- 16 (2) The administrative fine for each violation of this Chapter, or of the
- 17 regulations adopted pursuant thereto, shall not exceed the sum of five hundred
- 18 dollars.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____