

HOUSE COMMITTEE AMENDMENTS

2024 Regular Session

Amendments proposed by House Committee on Transportation, Highways and Public Works to Original House Bill No. 683 by Representative Owen

1 AMENDMENT NO. 1

2 On page 1, line 2, after "reenact" and before relative" delete "R.S. 32:8(B) and to enact R.S.
3 32:414(X)," and insert "R.S. 32:8(A)(2) and (3) and (B) and 429.4(B) and (E) through (H)
4 and to enact R.S. 32:8(D), 414(X), 429.4(A)(5) and (I), and 863.1.2"

5 AMENDMENT NO. 2

6 On page 1, line 8, after "Section 1." delete the remainder of the line and insert "R.S. 32:8(B)
7 and to enact R.S. 32:414(X)," and insert "R.S. 32:8(A)(2) and (3) and (B) and 429.4(B) and
8 (E) through (H) are hereby amended and reenacted and R.S. 32:8(D), 414(X), 429.4(A)(5)
9 and (I), and 863.1.2 are hereby enacted to read as follows:"

10 AMENDMENT NO. 3

11 On page 1, between lines 10 and 11, insert the following:

12 "A. For purposes of this Section, the following words shall have the
13 following meanings unless the context clearly indicates otherwise:

14 * * *

15 (2) "Delinquent debt" means a debt that is ~~sixty~~ one hundred eighty days or
16 more past due.

17 (3) "Final debt" means ~~the amount due is no longer negotiable~~ and that the
18 debtor has no further right of administrative and judicial review regarding the
19 amount."

20 AMENDMENT NO. 4

21 On page 1, line 20, after "the" and before "amount" delete "maximum" and after "owed" and
22 before "together" insert a comma "," and "as specified in R.S. 32:57.1(B), 863(A)(3)(a), and
23 863.1,"

24 AMENDMENT NO. 5

25 On page 2, between lines 5 and 6 insert the following:

26 "D. After the debt becomes final but before it is transferred to the office of
27 debt recovery, the office of motor vehicles, through the commissioner, may
28 compromise and settle the debt to avoid litigation and further collection expenses of
29 the state upon satisfactory showing of substantial compliance with the law and
30 determination that no fee or lesser fee is due.

31 * * *"

32
33 AMENDMENT NO. 6

34 On page 2, after line 9, insert the following:

35 * * *

36 §429.4. Installment agreement; outstanding penalties, fines, and fees owed to the
37 office of motor vehicles

38 A.

39 * * *

1 (2) The Notice of Installment Agreement Termination and Demand shall
 2 satisfy all notice requirements contained in R.S. 32:8 and R.S. 47:1676. In the event
 3 an installment agreement includes payment of delinquent or final debt as defined by
 4 R.S. 32:8, such notice shall include all information required by R.S. 32:8. In the
 5 event that an installment agreement includes payment of delinquent or final debt as
 6 defined by R.S. 47:1676, such notice shall include all information required by R.S.
 7 47:1676. The notice required by this Paragraph shall satisfy the notice requirements
 8 of R.S. 32:8 and R.S. 47:1676.

9 (3) Upon request of the debtor within the sixty-day period from the date of
 10 the notice and demand required in Paragraph (1) of this Subsection and approval of
 11 the commissioner of the office of motor vehicles, the office of motor vehicles may
 12 reinstate the installment agreement after payment of all the missed installments and
 13 associated late fees installment.

14 (4) If no request for reinstatement of an installment agreement is made
 15 within sixty days of the notice and demand required by Paragraph (1) of this
 16 Subsection, or if the commissioner of the office of motor vehicles rejects a request
 17 to reinstate an installment agreement, the installment agreement shall be terminated
 18 and any remaining sums due under the installment agreement shall be delinquent and
 19 final debt as defined by R.S. 32:8 or R.S. 47:1676 for which the following shall
 20 apply:

21 (a) For sums due which are not debt as defined by R.S. 32:8, the office of
 22 motor vehicles may refer any unpaid balance due under the installment agreement
 23 for collection by the appropriate office pursuant to R.S. 47:1676 and this Section.

24 (b) For sums due which are debt as defined by R.S. 32:8, the office of motor
 25 vehicles may ~~shall~~ refer any unpaid balance due under the installment agreement to
 26 the Department of Revenue, office of debt recovery, for collection as provided in
 27 R.S. 32:8 and R.S. 47:1676.

28 G.F. Driving privileges and vehicle registration. ~~(H)~~ A debtor's Class "E"
 29 driving privileges and motor vehicle or truck registration privileges shall be
 30 reinstated when an installment agreement is executed by the debtor and the office of
 31 motor vehicles. All blocks on the debtor's license record shall be removed at that
 32 time. The office of motor vehicles may include the applicable fee for reinstatement
 33 of driving privileges in the total to be owed pursuant to an installment agreement
 34 entered into pursuant to this Section.

35 ~~(2) If a debtor fails to timely make an installment payment and no request~~
 36 ~~for reinstatement of the installment agreement is made following the commissioner's~~
 37 ~~sending the Notice of Installment Agreement Termination and Demand, or the~~
 38 ~~commissioner of the office of motor vehicles rejects a request to reinstate an~~
 39 ~~installment agreement, the debtor's driving privileges and motor vehicle or truck~~
 40 ~~registration privileges shall be suspended. The provisions of R.S. 32:414 shall apply~~
 41 ~~with regard to judicial review of the suspension and reinstatement of the suspension.~~

42 H. G. Administration of installment agreements. (1) The Department of
 43 Public Safety and Corrections, public safety services, may authorize a third party,
 44 including but not limited to the Department of Revenue, office of debt recovery, to
 45 administer installment agreements executed pursuant to this Section. Such
 46 authorized third party may collect payments due pursuant to installment agreements
 47 executed pursuant to this Section. Any such authorized third party shall be an
 48 authorized agent of the Department of Public Safety and Corrections, public safety
 49 services, and may collect the following fees for each transaction completed pursuant
 50 to this Section:

1 (a) A fee not to exceed three dollars for each payment made pursuant to an
2 installment agreement.

3 (b) Fees authorized by R.S. 40:1322.

4 (c) Fees authorized pursuant to R.S. 49:316.1.

5 (2) The provisions of R.S. 47:1576.2 shall not apply to services provided by
6 the Department of Revenue, office of debt recovery, pursuant to this Subsection.

7 (3) For purposes of this Section, the office of motor vehicles and the office
8 of debt recovery shall not be considered a collection agency as defined in R.S.
9 9:3534.1.

10 H. Rules. The office of motor vehicles and the Department of Revenue, office
11 of debt recovery, may adopt rules and regulations in accordance with the
12 Administrative Procedure Act to implement the provisions of this Section.

13 I. H. Rules the office of motor vehicles and the Department of Revenue,
14 office of debt recovery, may adopt rules and regulations in accordance with the
15 Administrative Procedure Act to implement the provisions of this Section.

16 * * *

17 §863.1.2. Reinstatement Relief Program

18 A. The commissioner of the office of motor vehicles is authorized to
19 implement a Reinstatement Relief Program for persons who owe reinstatement fees
20 imposed pursuant to R.S. 32:863 for having a lapse in insurance coverage.

21 B. The commissioner shall determine the amount of reinstatement fees the
22 person owes. The person shall promptly pay the amount determined to be owed no
23 later than ten calendar days from the date the commissioner sets the amount that is
24 owed. If the person needs to make payment arrangements, the person shall execute
25 an installment agreement with the office of motor vehicles. Such an installment
26 agreement shall only be for the amount determined to be owed by the commissioner
27 together with all fees associated with the installment agreement as provided in R.S.
28 32:429.4. If a person executes an installment contract; that person shall maintain
29 eligibility to remain in the Reinstatement Relief Program only if they make all
30 payments required in the installment agreement. If a person fails to make a timely
31 payment; and fails to pay the missed payment with the associated late fee before the
32 next scheduled payment, the person shall be removed from the Reinstatement Relief
33 Program and shall not be eligible to reenter the Reinstatement Relief Program.

34 C. The commissioner may request such documentation and information from
35 the person as is necessary to determine the amount of any payment and the number
36 of any payment including but not limited to income tax returns and prior bankruptcy
37 filings.

38 D. If the person successfully completes the Reinstatement Relief Program,
39 the office of motor vehicle shall issue documentation to the person indicating the
40 amount of debt was paid and the amount of debt was forgiven.

41 Section 2. The provisions of this Act shall retroactively apply to all persons
42 whose have outstanding debt on the effective date of this Act, even if the debt has
43 already been referred to the Office of Debt Recovery."