

2024 Regular Session

HOUSE BILL NO. 698

BY REPRESENTATIVE SCHAMERHORN

MOTOR VEHICLES: Provides relative to the suspension, revocation, renewal, and cancellation of licenses

1 AN ACT

2 To amend and reenact R.S. 32:414(N), relative to the suspension of driving and motor
3 vehicle registration privileges; to provide for penalties for payments and fees made
4 with an insufficient funds check or any form of payment that is the subject of a
5 chargeback; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 32:414(N) is hereby amended and reenacted to read as follows:

8 §414. Suspension, revocation, renewal, and cancellation of licenses; judicial review

9 * * *

10 N.(1) The department may suspend the driving and motor vehicle
11 registration privileges of any person who pays taxes or fees to either the office of
12 motor vehicles or to a public license tag agent contracted with and acting on behalf
13 of the office of motor vehicles, with a check which is subsequently dishonored for
14 insufficient funds, if the person fails to redeem the check within thirty days after the
15 date notice of suspension is mailed to the licensee by the department. The period of
16 suspension shall begin thirty days after the date the notice of suspension is mailed
17 to the licensee by the department. Any license so suspended shall remain suspended
18 until all pending assessments against the person, including a reinstatement fee
19 provided for in Subsection H of this Section, have been paid, ~~in cash.~~ ~~No economic~~

1 ~~hardship license shall be issued when a person's driving and motor vehicle~~
2 ~~registration privileges have been suspended under the provisions of this Subsection.~~

3 (2) The department may suspend the driving and motor vehicle registration
4 privileges of any person who pays taxes or fees to either the office of motor vehicles,
5 or to a public license tag agent contracted with, and acting on behalf of the office of
6 motor vehicles, with a credit or debit card or any form of electronic payment that is
7 the subject of a chargeback, if the person fails to make the required payment within
8 thirty days after the date notice of suspension is mailed to the licensee by the
9 department. The period of suspension shall begin thirty days after the date the notice
10 of suspension is mailed to the licensee by the department.

11 (3) The department shall promulgate rules as may be necessary to implement
12 the provisions of this Subsection.

13 * * *

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 698 Engrossed 2024 Regular Session Schamerhorn

Abstract: Authorizes the office of motor vehicles to suspend driving and motor vehicle registration privileges of a person who pays taxes or fees to a public license tag agent with an insufficient funds check or any form of payment that is subject to a chargeback.

Present law authorizes the department to suspend the driving and motor vehicle registration privileges of any person who pays taxes or fees to the office of motor vehicles with a check that is dishonored for insufficient funds, if the person fails to redeem the check within 30 days after the date notice of suspension is mailed to the licensee by the department. Specifies that the period of suspension begins 30 days after the date the notice of suspension is mailed to the licensee by the department.

Present law provides that any license suspended will remain suspended until all pending assessments against the person, including a reinstatement fee have been paid in cash. Specifies that no economic hardship license will be issued when a person's driving and motor vehicle registration privileges have been suspended.

Proposed law retains present law and adds a public license tag agent contracted with or acting on behalf of the office of motor vehicles to present law provisions authorizing the office of motor vehicles to suspend a person driver's license privileges if the person paid taxes or fees with an insufficient funds check or any form of payment that is subject to a chargeback.

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

Proposed law authorizes that the office of motor vehicles to suspend the driving and motor vehicle registration privileges of any person who pays taxes or fees to either the office of motor vehicles, or to a public license tag agent contracted with the office of motor vehicles, with a credit or debit card or any form of electronic payment that is the subject of a chargeback, if the person fails to make the required payment within 30 days after the date notice of suspension is mailed to the licensee by the department. Further specifies the period of suspension will begin 30 days after the date the notice of suspension is mailed to the licensee by the department.

(Amends R.S. 32:414(N))

Summary of Amendments Adopted by House

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

1. Remove a provision that prohibited the issuance of an economic hardship license when a person's driving and motor vehicle privileges are suspended pursuant to to the law.
2. Authorize the department to suspend privileges for persons issuing payment to the office of motor vehicles or a public license that is subject of a chargeback if the actual payment is not made within 30 days.
3. Make technical changes.