Regular Session, 2011

HOUSE BILL NO. 470

BY REPRESENTATIVE HENRY BURNS

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

MOTOR VEHICLES: Provides for an expedited motor vehicle title process

AN ACT

To amend and reenact R.S. 32:429.2(B) and to enact R.S. 32:707.2(C)(4), 707.6, and 728(10) and (11), relative to motor vehicle titles; to establish an expedited motor vehicle title receipt procedure; to provide for fees charged for receipt of an expedited motor vehicle title; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 32:429.2(B) is hereby amended and reenacted and R.S. 32:707.2(C)(4), 707.6, and 728(10) and (11) are hereby enacted to read as follows:

§429.2. Office of Motor Vehicles Customer Service and Technology Fund; uses of the monies

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B. After compliance with the requirements of Article VII, Section 9(B) of the Constitution of Louisiana relative to the Bond Security and Redemption Fund, and after a sufficient amount is allocated from that fund to pay all of the obligations secured by the full faith and credit of the state which become due and payable within any fiscal year, the treasurer shall pay an amount equal to the monies received by the state treasury pursuant to the provisions of R.S. 32:412.1(C)<u>, 707.2(C)(4), and 728(10)</u> into the Office of Motor Vehicles Customer Service and Technology Fund. The monies in this fund shall be used solely as provided in Subsection C of this Section and only in the amounts appropriated by the legislature. All unexpended and

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unencumbered monies in this fund at the end of the fiscal year shall remain in the fund. The monies in the fund shall be invested by the state treasurer in the same manner as monies in the state general fund and shall be deposited into the state general fund.

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§707.2. Electronic media system for lien recordation and title information; fees; required bond; confidentiality of information; rules and regulations

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C.

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(4) Any request to convert an existing paper title to an electronic title shall be forwarded to the department by the federally insured depository institution, finance company, lending institution, or other lender through its interface with its designated public tag agent. Upon receipt of such a request the department shall convert the paper to an electronic title at a charge to the lender not to exceed one dollar and fifty cents per title. This charge shall be forwarded to the state treasurer for deposit into the Office of Motor Vehicles Customer Service and Technology Fund. The public tag agent fee shall not exceed three dollars per title conversion request. The provisions of R.S. 32:412.1 and 728 shall not apply to this Paragraph.

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§707.6. Expedited title procedure; rules and regulations

A. The Department of Public Safety and Corrections, office of motor vehicles, shall establish an expedited processing procedure for the receipt of applications and the issuance of certificates of titles for motor vehicles. Any designated agent, lienholder, or owner requesting the issuance of such document, at his option, shall receive such expedited processing upon payment of the fee authorized by R.S. 32:728(10).

B. When expedited title processing is requested through the expedited title procedure or by application, the applicable fees are paid, and all documents and

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information necessary for the certificate of title applied for are received, the title shall be issued and directed to the public tag agent for pick-up by an authorized party within twenty-four hours of the time of receipt of the initial request, excluding weekends and holidays.

C. The Department of Public Safety and Corrections, office of motor vehicles, shall promulgate rules and regulations in accordance with the Administrative Procedure Act as are necessary to implement the provisions of this Section, including but not limited to rules and regulations setting fees in accordance with R.S. 47:532.1.

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§728. Fees

The commissioner shall charge the following fees and no others:

* * *

(10) Each certificate of title issued pursuant to a procedure established by R.S. 32:707.6 – ten dollars in addition to the eighteen dollars and fifty cents charged for each certificate of title as authorized pursuant to Paragraph (1) of this Section. The additional ten dollars shall be forwarded to the state treasurer for deposit into the Office of Motor Vehicles Customer Service and Technology Fund.

(11) The fees authorized by R.S. 32:707.2(C)(4).

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)]

Henry Burns HB No. 470

Abstract: Creates mechanism whereby a motor vehicle title can be received on an expedited basis and provides for fees for such service.

Present law provides for certain fees received by the Dept. of Public Safety and Corrections, office of motor vehicles, to be deposited into the Office of Motor Vehicles Customer Service and Technology Fund.

Proposed law retains present law and provides for any fees charged by DPS&C, office of motor vehicles, in conjunction with expedited motor vehicle titles to be deposited into the Office of Motor Vehicles Service and Technology Fund.

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Proposed law provides that any request to convert an existing paper title to an electronic title shall be forwarded to the department by the federally insured depository institution, finance company, lending institution, or other lender through its interface with its designated public tag agent. Upon receipt of such a request the department shall convert the paper to an electronic title at a charge to the lender not to exceed $1.50 per title. This charge shall be forwarded to the state treasurer for deposit into the Office of Motor Vehicles Customer Service and Technology Fund. The public tag agent fee shall not exceed $3 per title conversion request.

Proposed law directs DPS&C, office of motor vehicles, to establish an expedited processing procedure for the receipt of applications and the issuance of certificate of title for motor vehicles.

Proposed law provides that a title would be available on an expedited basis at public tag agent offices.

Proposed law provides that each certificate of title issued pursuant to a procedure established by an expedited processing procedure be an additional $10 to the $18.50 charged for the title itself. The additional $10 shall be forwarded to the state treasurer for deposit into the Office of Motor Vehicles Customer Service and Technology Fund.

(Amends R.S. 32:429.2(B); Adds R.S. 32:707.2(C)(4), 707.6, and 728(10) and (11))

Summary of Amendments Adopted by House

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

1. Provided that an expedited title would be available at public tag agent offices, but would not be available at office of motor vehicle locations.

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