

Regular Session, 2012

HOUSE BILL NO. 857

BY REPRESENTATIVE JOHNSON

MOTOR CARRIERS: Provides for minimum liability coverage for passenger vans used to transport railroad workers

1 AN ACT

2 To enact R.S. 32:900.1, relative to motor vehicles used to transport railroad workers; to
3 provide for minimum liability coverage for passengers; and to provide for related
4 matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 32:900.1 is hereby enacted to read as follows:

7 §900.1 Proof of financial responsibility; carriers of railroad workers

8 A. This Section shall apply to persons, firms, corporations, or contract
9 carriers who are in the business of providing transportation services on the highways
10 of this state for railroad workers in the course of their employment.

11 B. It shall be unlawful for any person, firm, corporation, or contract carrier
12 to operate any motor vehicle along or upon any public street or highway in any
13 parish, incorporated city, town, or village in this state for the carriage of passengers
14 employed by or contracting as workers for a railroad company in the course of their
15 employment unless such person, firm, corporation, or contract carrier has given, and
16 there is in full force and effect and on file with the office of motor vehicles of the
17 Department of Public Safety and Corrections, proof of financial responsibility
18 pursuant to Subsection (C) of this Section.

19 C. When a vehicle which is designed to carry fifteen or fewer passengers is
20 used by a person, firm, corporation, or contract carrier to transport passengers who

1 are employed by or who are contracting as workers for a railroad company in the
2 course of their employment, that person, firm, corporation, or contract carrier shall,
3 as proof of financial responsibility, maintain and be able to show verification of hit
4 and run, uninsured, and underinsured motor vehicle coverage in a total amount of not
5 less than two hundred fifty thousand dollars per passenger.

6 D.(1) Whenever the owner of a carrier used to transport railroad workers is
7 found in violation of this Section, the Department of Public Safety and Corrections,
8 office of motor vehicles, shall send the owner a "Notice of Violation" within thirty
9 days of the violation. The notice shall inform the owner that noncompliance with the
10 provisions of this Section shall subject the registration of the carrier vehicle to
11 suspension.

12 (2) The office of motor vehicles shall adopt rules and regulations in
13 accordance with the Administrative Procedure Act, subject to oversight by the House
14 and Senate committees on transportation, highways and public works as are
15 necessary regarding the regulation and enforcement of this Section. This authority
16 shall include the assessment of fees and fines in accordance with this Section.

17 (3) In the event that the driver and the owner are not the same person, the
18 driver shall not be responsible for violations of this Section.

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)]

Johnson

HB No. 857

Abstract: Requires carriers of railroad employees to obtain and be able to show proof of financial responsibility.

Proposed law requires persons and entities who are in the business of transporting railroad employees back and forth from their employment to file proof of financial responsibility with the office of motor vehicles of the Department of Public Safety and Corrections.

Proposed law further requires that persons and entities who are in the business of using vehicles designed to carry 15 or fewer persons to transport railroad employees maintain and be able to show verification of hit and run, uninsured, and underinsured motor vehicle coverage in a total amount of not less than \$250,000.00 per passenger.

Proposed law requires the office of motor vehicles to send a Notice of Violation to the owner within 30 days of failure to comply with proposed law.

Proposed law provides that the office of motor vehicles may suspend the registration of a vehicle that is used as a carrier when the owner does not comply with the proposed law.

Proposed law provides that, as long as the owner and driver of the vehicle are not the same person, the driver shall not be responsible for the owner's violations of proposed law.

(Adds R.S. 32:900.1)