

SENATE BILL NO. 634

BY SENATOR MORRISH

1 AN ACT

2 To amend and reenact R.S. 32:707(I)(1)(f) and R.S. 45:164(A), 178, and 200.3, and to enact
3 R.S. 32:707(N) and R.S. 47:469.1, relative to vehicles; to prohibit operation of
4 vehicles issued a reconstructed title as a motor carrier of passengers or as a public
5 carrier vehicle; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 32:707(I)(1)(f) is hereby amended and reenacted and R.S. 32:707(N)
8 is hereby enacted to read as follows:

9 §707. Application for certificates of title; exception; salvage title; antique vehicles;
10 reconstructed title

11 * * *

12 I. (1) * * *

13 (f) Upon receipt of the salvage title, the insurance company, its authorized
14 agent, or the vehicle owner may proceed to dismantle the vehicle, sell it, or rebuild
15 and restore it to operation. A rebuilder of a salvaged title motor vehicle may upon
16 completion of rebuilding the vehicle demonstrate the rebuilt motor vehicle to a
17 prospective purchaser without applying for a reconstructed vehicle title. Except for
18 the purposes of this demonstration, no rebuilt and restored vehicle shall be operated
19 upon any public street, roadway, or highway until it is registered with the office of
20 motor vehicles, and a reconstructed vehicle title is issued. **No such vehicle issued**
21 **a reconstructed title shall be operated as a motor carrier of passengers pursuant**
22 **to R.S. 45:164(A) or as a public carrier vehicle as defined in R.S. 45:200.2(2).**

23 * * *

24 **N. No vehicle with a reconstructed title shall be issued a license plate to**
25 **operate as a motor carrier of passengers pursuant to R.S. 45:164(A) or as a**
26 **public carrier vehicle as defined in R.S. 45:200.2(2).**

27 Section 2. R.S. 45:164(A), 178, and 200.3 are hereby amended and reenacted to read

as follows:

§164. Common carrier's certificate; contract carrier's permit

A. Except as provided by Subsection C of this Section, no motor carrier, as defined in R.S. 45:162, shall operate as a common carrier without first having obtained from the commission a certificate of public convenience and necessity, which shall be issued only after a written application made and filed, a public hearing, due notice given to applicant and all competing common carriers, and a finding by the commission that public convenience and necessity require the issuance of a certificate. No new or additional certificate shall be granted over a route where there is an existing certificate, unless it be clearly shown that the public convenience and necessity would be materially promoted thereby. **No such certificate to operate as a motor carrier of passengers shall be issued to an applicant which uses or will use any vehicle with a reconstructed title as provided in R.S. 32:707 or an equivalent title issued pursuant to the laws of another state in the operation of such business.**

* * *

§178. License for carrier's vehicle; certificate from public service commission required

A. Neither the vehicle commissioner nor any public official charged with the sale and issuance of license plates and registration certificates for motor vehicles shall sell or issue, or permit to be sold or issued, a certificate or license plate to be used on a motor vehicle of a common or contract carrier in the conduct of such business, unless there is presented a certificate from the Louisiana Public Service Commission certifying that the applicant for the license plate or registration certificate is entitled to use it.

B. Neither the vehicle commissioner nor any public official charged with the sale and issuance of license plates and registration certificates for motor vehicles shall sell or issue, or permit to be sold or issued, a certificate or license plate for a motor vehicle which will be used in the conduct of a business as a motor carrier of passengers pursuant to R.S. 45:164(A) or as a public carrier

vehicle as defined in R.S. 45:200.2(2) if the motor vehicle has a reconstructed title as provided in R.S. 32:707 or an equivalent title issued pursuant to the laws of another state.

* * *

§200.3. Necessity of municipal or parochial consent for operation of public carrier vehicles

No public carrier vehicle shall be operated upon any street in any municipality or parish until the owner thereof shall have applied for, and shall have received, from the municipality or parish, a certificate issued by the duly designated authority thereof. No such certificate as a public carrier vehicle shall be issued to an owner to operate any vehicle with a reconstructed title as provided in R.S. 32:707 or an equivalent title issued pursuant to the laws of another state.

Section 3. R.S. 47:469.1 is hereby enacted to read as follows:

§469.1. Taxi cabs; reconstructed title prohibition

No vehicle issued a reconstructed title as provided in R.S. 32:707 or which has ever been issued a title marked as salvage, rebuilt, junk, total loss, or any equivalent certificate of title in this state or any other state shall be issued a registration certificate or license plate to operate as a taxicab.

Section 4. The provisions of this Act shall be applicable to any application for a new or renewal certificate, registration, and license required by law to operate as a motor carrier of passengers or as a public carrier vehicle filed with the office of motor vehicles, any municipal or parish authority, and the Louisiana Public Service Commission.

Section 5. This Act shall become effective on October 15, 2012.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____