

Prior law provided that only a P.O.S.T.-certified law enforcement officer, who has been trained and certified by the office of state police, may perform a physical inspection of a vehicle for the purpose of vehicle identification number verification.

New law changes P.O.S.T.-certified law enforcement officer to "peace officer", as defined in R.S. 40:2402(3)(a): "any full-time employee of the state, a municipality, a sheriff, or other public agency, whose permanent duties actually include the making of arrests, the performing of searches and seizures, or the execution of criminal warrants, and is responsible for the prevention or detection of crime or for the enforcement of the penal, traffic, or highway laws of this state, but not including any elected or appointed head of a law enforcement department."

New law prohibits a peace officer from conducting a physical investigation of a vehicle in which he has a fiduciary interest or an ownership interest, or is in the process of acquiring an interest through a company or entity in which he has an interest.

New law authorizes the deputy secretary of public safety services to promulgate rules and regulations regarding physical inspection certificates. Further provides that the deputy secretary shall revoke the certificate of any peace officer who fails to satisfy any requirements of the rules promulgated.

Effective August 1, 2012.

(Amends R.S. 32:706.2)