
DIGEST

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Badon

HB No. 929

Abstract: Provides for the regulation of persons who own or operate motor vehicle booting businesses and boot motor vehicles parked on private property.

Proposed law provides for the regulation of persons who own or operate motor vehicle booting businesses. Provides relative to persons who boot motor vehicles parked on private property. Defines "private property" as any parking lot or street which is privately owned and is located near or contiguous to business establishments which is used for the parking of motor vehicles or for vehicular travel. Provides that "private property" does not mean any parking lot or street which is owned by the state or any of its political subdivision or by any postsecondary education institution. Provides that proposed law is applicable only to persons engaged in the business of booting motor vehicles in parishes and municipalities that provide, by ordinance, for the regulation of booting.

Proposed law prohibits any person who has not complied with all vehicle booting license requirements of the respective parish or municipality from engaging in the business of booting motor vehicles. Requires each person to also meet all additional criteria established by the parish or municipality.

Proposed law prohibits any person from booting a vehicle unless the person is the owner or has a written contract with the owner of the private property. Additionally prohibits a person from booting a motor vehicle unless a minimum of two signs are conspicuously posted and maintained by the owner of the private property in the form and manner prescribed by the parish or municipality. Provides for the sign content requirements. Prohibits a charge in excess of that which is contained in a sign.

Proposed law requires the owner of a motor vehicle booting business to issue some form of identification to every person who is authorized to boot motor vehicles on the owner's behalf and to each person authorized to accept payment for releasing motor vehicles that have been booted. Requires that the identification contain the name of the motor vehicle business and the name of the authorized representative. Requires the authorized representative to produce the identification to any person responsible for the payment of booting fees prior to the receipt of payment.

Proposed law requires any person who has booted a vehicle to immediately affix a sticker at the rear-most portion of the window adjacent to the driver's seat of such vehicle. Provides for the content requirements of the sticker, including the name, address, and business license number of

the motor vehicle booting business as well as a business telephone number which will facilitate the dispatch of personnel responsible for removing the boot and the time frame of arrival.

Proposed law requires the person who boots a vehicle to, upon payment of all fees to remove a boot, to remove the window sticker immediately at no charge. Provides that the inclusion of a release or waiver of any kind purporting to limit or avoid liability for damages to a motor vehicle that has been booted is not valid.

Proposed law requires any person who boots a motor vehicle or any person authorized to accept payment of any booting fees to provide a signed receipt to the person paying the booting fees at the time such fees are paid. Provides for the content requirements of the receipt.

Proposed law provides that the owner of a motor vehicle that has been booted has a right to an administrative hearing in the parish or municipality in which the motor vehicle was booted. Provides that the purpose of the hearing is to determine the validity of the booting and the fees imposed. Requires the owner to make the request within 10 calendar days from the date the motor vehicle was booted.

Proposed law provides that nothing in proposed law prohibits any parish or municipality from adopting more restrictive requirements or regulations.

(Adds R.S. 32:1750.1)

Summary of Amendments Adopted by House

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

1. Authorized only the owner of a private lot or a person who has a written contract with the owner of the private property to boot a motor vehicle parked on the private property.

House Floor Amendments to the engrossed bill.

1. Made technical changes.