

Regular Session, 2012

SENATE BILL NO. 487

BY SENATOR PERRY

MOTOR VEHICLES. Provides relative to reinstatement of a driver's license that has been revoked under certain circumstances. (gov sig)

1 AN ACT

2 To repeal R.S. 32:667(H), relative to motor vehicles and traffic regulation; to provide
3 relative to seizure, suspension, or revocation of driver's licenses; to repeal certain
4 provisions relative to reinstatement of a seized, suspended, or revoked driver's
5 license under certain circumstances; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 32:667(H) is hereby repealed in its entirety.

8 Section 2. This Act shall become effective upon signature by the governor or, if not
9 signed by the governor, upon expiration of the time for bills to become law without signature
10 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
11 vetoed by the governor and subsequently approved by the legislature, this Act shall become
12 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Alden A. Clement, Jr.

DIGEST

Present law provides that when any person's driver's license has been seized, suspended, or revoked, and the seizure, suspension, or revocation is connected to a charge or charges of violation of a criminal law, and the charge or charges do not result in a conviction, plea of

guilty, or bond forfeiture, the person charged is to have his license immediately reinstated is not required to pay any reinstatement fee if at the time for the reinstatement of the driver's license, it can be shown that the criminal charges have been dismissed, or that there has been a permanent refusal to charge a crime by the appropriate prosecutor, or there has been an acquittal. Present law further provides that if, at the time for reinstatement, the licensee has pending against him criminal charges arising from the arrest which led to his suspension or revocation of driver's license, the reinstatement fee is to be collected.

Present law provides that upon subsequent proof of final dismissal or acquittal, other than under certain provisions of present law, the licensee is entitled to a reimbursement of the reinstatement fee previously paid, but in no event does an exemption from this reinstatement fee or reimbursement of a reinstatement fee affect the validity of the underlying suspension or revocation.

Present law provides that if a licensee qualifies for the exemption from the reinstatement fee or for a reimbursement of the reinstatement fee, the licensee will receive credit for the unexpired portion of the license which was seized, and is exempt from the payment of, or will receive reimbursement for the payment of, the duplicate license fee and the handling fee with regard to the license that was seized.

Proposed law repeals these provisions of present law.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Repeals R.S. 32:667(H))