

2019 Regular Session

HOUSE BILL NO. 415

BY REPRESENTATIVE TERRY BROWN

1 AN ACT

2 To amend and reenact R.S. 32:667(H)(3) and to enact R.S. 32:667(I)(5), relative to driver's
3 license reinstatement; to provide for the usage of the department's record of arrests
4 made for driving while intoxicated in determining whether a person should have their
5 driver's license reinstated; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 32:667(H)(3) is hereby amended and reenacted and R.S. 32:667(I)(5)
8 is hereby enacted to read as follows:

9 §667. Seizure of license; circumstances; temporary license

10 * * *

11 H.

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13 (3) Paragraph (1) of this Subsection shall not apply to a person who refuses
14 to submit to an approved chemical test upon a second or subsequent arrest for R.S.
15 14:98 or 98.1, or a parish or municipal ordinance that prohibits driving a motor
16 vehicle while intoxicated. However, this Paragraph shall not apply if the second or
17 subsequent arrest occurs more than ten years after the prior arrest. The department's
18 records of arrests made for operating a vehicle while intoxicated, as certified by the
19 arresting officer pursuant to R.S. 32:666(B), shall be used to determine the
20 application of the provisions of this Paragraph. In the event the suspension arising
21 out of such arrest has been reversed or recalled including any reversal or recall as a
22 result of an administrative hearing or judicial review, then that arrest related to that
23 suspension shall not be used to determine if this Paragraph applies to a driver's
24 license reinstatement.

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I.

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(5) The department's records of arrests made for operating a vehicle while intoxicated, as certified by the arresting officer pursuant to R.S. 32:666(B), shall be used to determine the application of the provisions of this Paragraph. In the event the suspension arising out of such arrest has been reversed or recalled, then that arrest related to that suspension shall not be used to determine if this Paragraph applies to a driver's license reinstatement.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____