HLS 17RS-1048 ENGROSSED

2017 Regular Session

HOUSE BILL NO. 603

BY REPRESENTATIVE FALCONER

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

MOTOR VEHICLES: Increases charges collected by public license tag agents

1	AN ACT
2	To amend and reenact R.S. 6:969.18(A)(3), R.S. 9:3530(F)(1) and (2), and R.S.
3	47:532.1(A)(7)(c), (C), and (D), relative to public license tag agents; to authorize a
4	maximum convenience charge for certain transactions; to increase the convenience
5	charges collected by public license tag agents; to authorize the collection of a
6	convenience charge in addition to other authorized fees, sales taxes, and transactions;
7	and to provide for related matters.
8	Be it enacted by the Legislature of Louisiana:
9	Section 1. R.S. 6:969.18(A)(3) is hereby amended and reenacted to read as follows:
10	§969.18. Documentation and compliance fees; notary fees; transfer of equity and
11	other fees; disclosure
12	A.
13	* * *
14	(3) The seller or extender of credit may additionally charge the consumer a
15	convenience fee charge, as provided by R.S. 47:532.1(A)(7)(c), for services
16	performed in obtaining a motor vehicle license or title on the consumer's behalf.
17	* * *
18	Section 2. R.S. 9:3530(F)(1) and (2) are hereby amended and reenacted to read as
19	follows:

1	§3530. Fees; origination; notary, documentation; over-the-credit-limit fee
2	* * *
3	F.(1) A lender may charge the consumer the collect a convenience fee charge
4	authorized by R.S. 47:532.1(C) for services performed by a public license tag agent
5	as well as any E.L.T. fees pursuant to R.S. 32:707.2. Such fees shall not be charged
6	to the consumer more than once.
7	(2) Notwithstanding any other law to the contrary, the convenience fee
8	charge authorized by R.S. 47:532.1(C) as well as any E.L.T. fees shall not be
9	considered as interest, nor shall they be included in the calculation of interest.
10	* * *
11	Section 3. R.S. 47:532.1(A)(7)(c), (C), and (D) are hereby amended and reenacted
12	to read as follows:
13	§532.1. Public license tag agents; auto title companies; rules and regulations; surety
14	bonds; fees
15	A.
16	* * *
17	(7)
18	* * *
19	(c) Public license tag agents shall also be authorized to provide information
20	on the status of registration privileges and to process reinstatements of driving and
21	motor vehicle registration privileges when these privileges were revoked due to the
22	failure to maintain the compulsory motor vehicle liability security or the failure to
23	provide proof of such security. Public license tag agents shall be authorized to
24	charge collect a convenience fee charge not to exceed eighteen twenty-four dollars,
25	to provide information on the status of registration privileges and a fee charge not
26	to exceed eighteen twenty-four dollars per reinstatement, provided that the fees
27	charges are disclosed immediately to the consumer prior to the initiation of the

1 transaction, and the fees are posted in a conspicuous manner in the business office 2 of the public license tag agent. 3 4 C. Public license tag agents shall be authorized to collect a convenience fee charge in addition to the registration license tax, other authorized fees, sales taxes, 5 and transactions. The convenience fee charge shall not exceed eighteen dollars for 6 7 motor carriers, as defined in R.S. 32:1(37), and eighteen twenty-four dollars per 8 license for all other vehicles. However, the public license tag agents shall collect and 9 retain the full amount of the convenience fee charge. The seller is authorized to 10 charge collect the convenience fee charge authorized by this Subsection in 11 connection with any retail sale, in addition to the fees authorized in Chapter 10-B of 12 Title 6 of the Louisiana Revised Statutes of 1950. 13 D.(1) Each public license tag agent approved by the office of motor vehicles 14 shall disclose information to the consumer that a license tag may be purchased at the 15 office of motor vehicles without payment of the convenience fee charge. 16 (2) Itemization of this convenience fee charge in compliance with federal 17 laws regarding truth and lending shall be considered compliance with this Section. 18 19 Section 4. The Department of Public Safety and Corrections, office of motor 20 vehicles, shall promulgate rules and regulations in accordance with the Administrative 21 Procedure Act to carry out the provisions of this Act.

## DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 603 Engrossed

2017 Regular Session

Falconer

**Abstract:** Increases charges collected by public license tag agents.

<u>Present law</u> authorizes certain individuals and entities to collect certain convenience fees for motor vehicle related services performed.

<u>Proposed law</u> clarifies that the individuals and entities collect certain convenience charges rather than convenience fees.

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

Present law authorizes public license tag agents to charge a convenience fee, not to exceed \$18, to provide information on the status of registration privileges and a fee, not to exceed \$18, per reinstatement, provided that the fees are disclosed immediately to the consumer prior to the initiation of the transaction and the fees are posted in a conspicuous manner in the office of the public license tag agent.

<u>Proposed law retains present law</u> and increases the specified maximum convenience charge <u>from</u> \$18 to \$24 for the provision of information on the status of registration privileges and reinstatement.

<u>Present law</u> authorizes the public license tag agents to collect a convenience fee in addition to the registration license tax not to exceed \$18 per license.

<u>Proposed law modifies present law</u> by increasing the charge <u>from</u> \$18 to \$24 for all vehicles except that the charge for motor carriers will not exceed \$18 and specifies that a public license tag agent is authorized to collect the convenience charge in addition to other authorized fees, sales taxes, and transactions.

<u>Proposed law</u> requires the Dept. of Public Safety and Corrections, office of motor vehicles, to promulgate rules and regulations adjusting the La. Administrative Code to appropriately conform with the provisions of this Act.

(Amends R.S. 6:969.18(A)(3), R.S. 9:3530(F)(1) and (2), and R.S. 47:532.1(A)(7)(c), (C), and (D))

## Summary of Amendments Adopted by House

The Committee Amendments Proposed by <u>House Committee on Transportation</u>, Highways and Public Works to the original bill:

- 1. Make technical changes.
- 2. Decrease the convenience charge <u>from</u> \$28 <u>to</u> \$24 for the provision of information on the status of registration privileges and reinstatement.
- 3. Specify that the convenience charge for motor carriers must not exceed \$18.
- 4. Remove all provisions relative to contracts between the office of motor vehicles and public license tag agents.