2017 Regular Session

HOUSE BILL NO. 607

BY REPRESENTATIVE JORDAN

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

MOTOR VEHICLES: Creates insurance bar code to be displayed on a vehicle's inspection sticker

1	AN ACT
2	To amend and reenact R.S. 32:862(B)(1) and (H), 863.1(A)(introductory paragraph) and
3	(B)(1) and 1306(B) and (E) and to enact R.S. 32:863.1(A)(5) and (G)(5), relative to
4	creating insurance bar codes to be displayed on a vehicle's inspection sticker; to
5	require insurance companies to place bar codes insurance cards or similar
6	documents; to require persons operating certified motor vehicle inspection stations
7	to validate a vehicle owner's insurance; to require the office of motor vehicles to
8	issue inspection stickers containing a bar code; and to provide for related matters.
9	Be it enacted by the Legislature of Louisiana:
10	Section 1. R.S. 32:862(B)(1), and (H), R.S. 32:863.1(A)(introductory paragraph) and
11	(B)(1) and 1306(B) and (E) is hereby amended and reenacted and R.S. 32:863.1(A)(5) and
12	(G)(5) to read as follows:
13	§862. Proof of compliance
14	* * *
15	B.(1) The commissioner shall adopt rules to implement the provisions of this
16	Section. The rules shall provide that documentation of insurance or other security
17	shall be required for proof of compliance. The rules shall require that the original,
18	a photocopy, or an image displayed on a mobile electronic device, of one of the
19	following documents be produced as documentation of insurance: an insurance card;
20	an insurance policy; or the declarations page of the insurance policy showing

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1	coverages. The rules shall require insurance and security companies to issue cards
2	or similar documents with a bar code, or an image of the card or similar documents
3	with a bar code capable of being displayed on a mobile electronic device, which
4	indicate the existence of insurance or security coverage, <u>The rules</u> may establish the
5	form for the cards or similar documents, and may establish the form for the written
6	declarations required by this Section.
7	* * *
8	H. No action taken by any person, whether private citizen or public officer
9	or employee, with regard to any license, registration, or inspection certificate, or with
10	regard to any document, or electronic image, or bar code on the vehicle's inspection
11	sticker, which indicates compliance with this Part, shall create a presumption of the
12	existence of insurance coverage, or be construed by any court as a warranty of the
13	reliability or accuracy of the document or electronic image, or create any liability on
14	the part of the state, or on the part of any department, office, or agency of the state,
15	or on the part of any officer, employee, or agent of the state.
16	* * *
17	§863.1. Evidence of compulsory motor vehicle liability security contained in
18	vehicle; enforcement; penalty; fees
19	A. Except as provided in R.S. 32:863.1.1, no owner or lessee of a
20	self-propelled motor vehicle registered in this state, except a motor vehicle used
21	primarily for exhibit or kept primarily for use in parades, exhibits, or shows, or
22	agricultural or forest use vehicles during seasons when they are not used on the
23	highways, shall operate or allow the operation of such vehicle upon any public road,
24	street, or highway in this state unless there is contained on the vehicle's windshield
25	or within the vehicle one of the following documents evidencing that the motor
26	vehicle is in compliance with R.S. 32:861 relative to compulsory motor vehicle
27	liability security:
28	* * *

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1	(5) A bar code on a valid inspection sticker which is linked to the owner of (5)		
2	the vehicle's insurance information as required in Paragraph (1) of this Subsection.		
3	B.(1) When a law enforcement officer stops a vehicle at an administrative		
4	violations checkpoint, or in connection with an alleged violation of the law, or for		
5	any other reason, or when a law enforcement officer investigates an accident, the law		
6	enforcement officer shall determine if the owner or lessee of each vehicle is in		
7	compliance with the provisions of this Section which require evidence of liability		
8	insurance or other security to be contained in the vehicle or linked to the bar code on		
9	the vehicle's inspection sticker.		
10	* * *		
11	G. The only acceptable means of proof of a valid and current policy of		
12	insurance shall be one of the following:		
13	* * *		
14	(5) A bar code on a valid inspection sticker which is linked to the owner of (5)		
15	the vehicle's insurance information as required in Paragraph (1) of this Subsection.		
16	* * *		
17	§1306. Operation of official inspection stations		
18	* * *		
19	B. The person operating an official inspection station shall issue a certificate		
20	of inspection and approval upon an official form to the owner of a vehicle upon		
21	inspecting such vehicle and determining that its equipment required under the		
22	provisions of this act is in good condition and proper adjustment and the owner of		
23	the vehicle is in compliance with the provisions of R.S. 32:861, otherwise no		
24	certificate shall be issued. When required by the director a record and report shall		
25	be made of every inspection and every certificate so issued.		
26	* * *		
27	E. Until such time as a system of electronic filing of inspection information		
28	and print on-demand motor vehicle inspection certificates is implemented, the office		
29	of motor vehicles shall distribute motor vehicle inspection stickers to each district		

1 office throughout the state and shall make such stickers available for purchase by 2 certified motor vehicle inspection stations during normal business hours. The stickers shall be in convenient book form and shall be sold in such practical 3 4 increments as will not present a financial hardship to low volume stations. The stickers shall contain bar codes that allow the operators of an inspection station to 5 6 link the owner of any vehicle's insurance coverage or security as required in R.S. 7 32:861. Motor vehicle inspection stickers shall not be distributed to each district 8 office throughout the state or made available for purchase when a system of 9 electronic filing or inspection information and print on-demand motor vehicle 10 inspection certificates is implemented. 11 12 Section 2. The department shall promulgate rules and regulations as necessary to

13 implement 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 607 Original	2017 Regular Session	Jordan

Abstract: Provides for insurance bar codes on inspection stickers and insurance cards.

<u>Present law</u> requires insurance companies to issue cards or similar documents, or an image of a card or similar documents capable of being displayed on a mobile electronic device, which indicate the existence of insurance or security coverage.

<u>Proposed law</u> modifies <u>present law</u> by requiring insurance companies to add a bar code to the cards or similar documents that will also appear on the image of the card or similar documents capable of being displayed on a mobile electronic device, which indicate the existence of insurance or security coverage.

<u>Present law</u> provides that no action taken by any person, whether private citizen or public officer or employee, with regard to any license, registration, or inspection certificate, or with regard to any document, electronic image, which indicates compliance with <u>present law</u>, shall create a presumption of insurance coverage.

<u>Proposed law</u> adds bar codes on vehicles' inspection stickers to the presumption in <u>present</u> law.

<u>Present law</u> provides four types of documents evidencing that a motor vehicle is in compliance with present law relative to compulsory motor vehicle liability security.

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<u>Proposed law</u> adds a bar code on a valid inspection sticker which is linked to the owner's insurance information as a five type of document that can evidence that a motor vehicle is in compliance with <u>present law</u> relative to compulsory motor vehicle liability security.

<u>Present law</u> provides four types of documents that are the only acceptable means of proof of a valid and current policy of insurance.

<u>Proposed law</u> adds a bar code on a valid inspection sticker which is linked to the owner of the vehicle's insurance information as a fifth type of document to prove a valid and current policy of insurance.

<u>Present law</u> provides that the person operating an official inspection station shall issue a certificate of inspection and approval upon an official form to the owner of a vehicle upon inspecting such vehicle and determining that its equipment required under the provisions of this act is in good condition and proper adjustment.

<u>Proposed law</u> adds a requirement to <u>present law</u> requiring the person operating an official inspection station to validate the vehicle owner's insurance prior to issuing a certificate of inspection and approval.

<u>Present law</u> provides that the OMV shall distribute motor vehicle inspection stickers to each district office throughout the state for purchase by certified motor vehicle inspection stations, and that the stickers are in convenient book form.

<u>Proposed law</u> requires the stickers to contain bar codes that allow the operators of an inspection station to link the owner of any vehicle's insurance coverage or security as required in <u>present law</u>.

(Amends R.S. 32:862(B)(1) and (H), 863.1(A)(intro. paragraph) and (B)(1) and 1306(B) and (E); Adds R.S. 32:863.1(A)(5) and (G)(5))