

**ACT No. 80**

Regular Session, 2014

HOUSE BILL NO. 647

BY REPRESENTATIVE HUNTER

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AN ACT

To amend and reenact R.S. 22:369(A)(introductory paragraph) and to enact R.S. 22:362(C), 369(A)(5), and 369.1, relative to vehicle mechanical breakdown insurers; to permit the commissioner of insurance to levy a fine; to provide that mechanical breakdown insurers shall notify the commissioner of insurance within sixty days of any material change in its ownership, control, or other circumstance affecting its qualifications for a license; to provide that the commissioner may levy a fine, suspend, or revoke a license for failing to comply with the law or a lawful order of the commissioner; to provide for reinstatement of license for failure to pay the annual license renewal fee; to provide for reinstatement of license for failure to file the annual audited financial statement; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:369(A)(introductory paragraph) is hereby amended and reenacted and R.S. 22:362(C), 369(A)(5), and 369.1 are hereby enacted to read as follows:

§362. License required of vehicle mechanical breakdown insurer

\* \* \*

C. Every licensee shall notify the commissioner within sixty days of any material change in its ownership, control, or other fact or circumstance affecting its qualification for a license in this state. Material changes shall include but are not limited to the following:

- (1) Changes in officers or directors.
- (2) Changes in ownership.
- (3) Change in articles of incorporation.
- (4) A merger.

1                   (5) An addition or change of a trade name or "d/b/a".

2                   (6) Cessation of business in Louisiana.

3   \*       \*       \*

4                   §369. Revocation or suspension of license

5                   A. In accordance and compliance with R.S. 49:961, the commissioner may  
6                   levy a fine not to exceed one thousand dollars per violation or revoke or suspend any  
7                   license required by this Subpart should he find any of the following:

8   \*       \*       \*

9                   (5) If the insurer fails to comply with any provision of this Subpart or a  
10                   lawful order of the commissioner.

11   \*       \*       \*

12                   §369.1. Reinstatement of license

13                   A. A vehicle mechanical breakdown insurer whose license has been  
14                   suspended for failure to pay the annual renewal fee required by R.S. 22:362 shall  
15                   have his license reinstated if the annual renewal fee is paid within ninety days of the  
16                   date of suspension, provided all other requirements of this Subpart have been met.

17                   B. A vehicle mechanical breakdown insurer whose license has been  
18                   suspended for failure to file the annual audited financial statement required by R.S.  
19                   22:366 shall have his license reinstated if the annual audited financial statement is  
20                   filed within ninety days of the deadline for filing provided in R.S. 22:366.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_