HLS 20RS-1256 ORIGINAL

2020 Regular Session

HOUSE BILL NO. 764

1

BY REPRESENTATIVE MACK

MOTOR VEHICLES: Provides relative to charges collected by public license tag agents

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	* * *

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

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

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 764 Original

2020 Regular Session

Mack

Abstract: Increases charges collected by public license tag agents.

Procedure Act to implement the provisions of this Act.

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

Proposed law clarifies that the individuals and entities may collect certain convenience charges rather than convenience fees.

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

<u>Present law</u> 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</u> increases the specified maximum convenience charge <u>from</u> \$18 <u>to</u> \$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</u> increases the charge <u>from</u> \$18 to \$24 for all authorized transactions 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))