

Regular Session, 1999

HOUSE BILL NO. 1131

BY REPRESENTATIVE DIEZ

MOTOR VEHICLES: Authorizes the development of an electronic media system for lien recordation and title information for motor vehicles

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AN ACT

To enact R.S. 32:707.2 and to amend and reenact R.S. 47:532.1(A)(7), relative to the Vehicle Certificate of Title Law; to authorize the department to develop and implement an electronic media system for lien recordation and title information on motor vehicles; to authorize the setting of fees for such services; to require public license tag agents operating a secured host computer to provide a bond in an amount set by the department; to require the confidentiality of certain information; to authorize promulgation of rules and regulations; to authorize public license tag agents to contract for the administration of the electronic media system; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 32:707.2 is hereby enacted to read as follows:

§707.2. Electronic Media System for Lien Recordation and Title Information; fees; required bond; confidentiality of information; rules and regulations

A. The department is hereby authorized to develop and implement a computer system which will permit the voluntary electronic recording of information concerning the perfection and

1 release of vehicle security interests without submitting or receiving
2 paper title documents. The department may allow the submission of
3 vehicle title information for new, transferred, and corrected certificates
4 of title, including the perfection and release of security interests,
5 through electronic media in a cost-effective manner in lieu of the
6 submission and maintenance of paper documents otherwise required by
7 this Chapter.

8 B. The department is hereby authorized to contract with public
9 license tag agents for the purpose of administering a system which will
10 permit the voluntary recording of vehicle title information and security
11 interest notification.

12 C. An approved public license tag agent operating a secured
13 host computer system interfacing with the computer system of the
14 Department of Public Safety and Corrections, office of motor vehicles,
15 and the computer system of a lending institution or other sales finance
16 company shall be bonded in an amount specified by the department.
17 The public license tag agent is hereby authorized to charge a
18 convenience fee to customers utilizing this electronic media system, in
19 accordance with the provisions of R.S. 47:532.1(C).

20 D. Notwithstanding any other law to the contrary, a written or
21 printed report of an electronic media transaction or recording permitted
22 under the provisions of this Section, if certified as true and correct by
23 the department, shall serve as evidence of any signature,
24 acknowledgment, or information which was provided to or by the
25 department through electronic means, and the certification shall be

1 admissible in any legal proceeding as evidence of the facts stated
2 therein.

3 E. All information received by the department or a public
4 license tag agent in connection with an electronic lien recordation or
5 title information shall remain confidential as specified by the
6 department.

7 F. The department shall promulgate rules and regulations in
8 accordance with the Administrative Procedure Act as are necessary to
9 implement the provisions of this Section, including but not limited to
10 rules and regulations regarding the setting of fees, the amount of bond
11 required for public license tag agents operating a secured host computer
12 system, and the confidentiality of information.

13 Section 2. R.S. 47:532.1(A)(7) is hereby amended and reenacted to
14 read as follows:

15 §532.1. Public license tag agents; auto title companies; rules and
16 regulations; surety bonds; fees

17 A.

18 * * *

19 (7) Public license tag agents may collect the registration license
20 taxes authorized by this Chapter, as well as applicable sales and use
21 taxes, and issue registration certificates and license plates to vehicles
22 and motor vehicles. Public license tag agents shall also be authorized
23 to receive and process applications filed for certificates of title,
24 duplicate certificates of title, corrected certificates of title, recordation
25 of liens, mortgages, or security interests against motor vehicles,
26 conversion of plate, transfer of plate, replacement of lost or stolen

1 plates, replacement of lost or stolen stickers, renewals of registration,
2 ~~and duplicate registration, and to contract with the Department of~~
3 Public Safety and Corrections, office of motor vehicles, for the
4 administration of an electronic media system which will permit the
5 voluntary recording of vehicle title information and security interest
6 notification. The commissioner may authorize public license tag agents
7 to process additional applications or transactions.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument.

Diez

HB No. 1131

Proposed law authorizes the department to develop and implement a computer system which will permit the voluntary recording of vehicle title information for new, transferred, and corrected certificates of title, including the perfection and release of security interests, through electronic media in a cost-effective manner, in lieu of the submission and maintenance of paper documents otherwise required by the department.

Proposed law authorizes the department to contract with public license tag agents for the purpose of administering the electronic media system which will permit the electronic communication of title information and security interest notification. An approved public license tag agent operating a secure host computer system interfacing with the computer system of the department and the computer system of a lending institution or sales finance company shall be bonded in an amount specified by the department. Further authorizes a public license tag agent to charge a convenience fee to customers utilizing the electronic media system.

Proposed law provides that a written or printed report of an electronic media transaction or recording, if certified as true and correct by the department, shall serve as evidence of any signature, acknowledgment, or information which was provided to or by the department through electronic means, and the certification shall be admissible in any legal proceeding as evidence of the facts stated therein.

Proposed law authorizes the promulgation of rules and regulations including but not limited to rules regarding the setting of fees, the amount of bond required for public license tag agents operating a secured host computer system, and the confidentiality of information.

Present law authorizes public license tag agents to collect registration license taxes, as well as applicable sales and use taxes, issue registration certificates and license plates to vehicles and motor vehicles, receive and process applications filed for certificates of title, duplicate certificates of title, corrected certificates of title, recordation of liens, mortgages, or security interests against motor vehicles, conversion of plates, transfer of plates, replacement of lost or stolen plates, replacement of lost or stolen stickers, renewals of registration, and duplicate registration.

Proposed law retains present law and further authorizes public license tag agents to contract with the Dept. of Public Safety and Corrections, office of motor vehicles, for the administration of an electronic media system which will permit the voluntary recording of vehicle title information and security interest notification.

(Amends R.S. 47:532.1(A)(7); Adds R.S. 32:707.2)