



LOUISIANA DEPARTMENT OF PUBLIC SAFETY
OFFICE OF MOTOR VEHICLES

Section: III Safety Responsibility Laws
Number: 2.00

Effective: 11/22/1999
Revised: 09/08/2016

NOTICE OF VIOLATION

POLICY:

To view Louisiana Statutes: <http://www.legis.state.la.us/>

AUTHORITY

R.S. 32:861
R.S. 32:863.1
R.S. 32:862D

DEFINITION OF NOTICE OF VIOLATION

Louisiana Law requires that all vehicles owned or leased and registered in this state be required to provide evidence of liability insurance or some other type of security while being operated upon any public road, street, or highway in this State.

METHODS OF COMPLIANCE

NOTE: If proof is submitted that a vehicle has been transferred from one owner to another, the legal owner at the time of the violation will be held responsible under the Compulsory Liability Security Law.

Vehicle insured at the time of violation and customer comes in **within** three business days:

- Proof of liability insurance or some other type of compliance
- Plate is returned and an "Authorization to Release Vehicle" for the wrecker service (if vehicle was impounded) is provided to the owner.

Note: If liability insurance went into effect on the date of violation, the MVCA must check the effective time of the policy. If the policy went into effect after the time of violation, it will be acceptable as current insurance only.

- All Compulsory or Safety Responsibility violations affecting the vehicle in question must be reinstated before the license plate can be returned and an "Authorization to Release Vehicle" can be issued. If there are other violations on the same vehicle, the individual must be directed to Reinstatement to pay appropriate fees.

Vehicle insured at the time of violation and customer comes in **after** three business days:

- Reinstatement office will clear the violation with proof of liability insurance or some other type of compliance.
- Notice of violation must be added and a \$10.00 fee collected. A clearance letter or status sheet indicating an "Authorization to Release Vehicle" must be completed if the vehicle was

impounded and a new plate was issued.

- All Compulsory or Safety Responsibility violations affecting the vehicle in question must be reinstated before a clearance letter or status sheet can be issued.

Vehicle **not insured** at the time of violation:

- Proof of liability insurance or some other type of compliance.
- Notice of violation must be added and the required fees paid.
- A new plate will be issued if applicable.
- Clearance letter or status sheet indicating an "Authorization to Release Vehicle" must be completed if the vehicle was impounded.
- All Compulsory or Safety Responsibility violations affecting the vehicle in question must be reinstated before a clearance letter or status sheet can be given.
- Proof of acceptable insurance at the time of violation. If the vehicle is impounded, the "Authorization to Release Vehicle" will be issued to the owner.
- Proof of current liability or proof of insurance on the Insurance History Screen . If the vehicle is impounded, the "Authorization to Release Vehicle" will be issued to the owner.
- Surrender of the license plate. If the vehicle is impounded, the "Authorization to Release Vehicle" for "Tow Only" will be issued to the owner.
- Proof of release for a totalled or inoperable vehicle (not drivable as a result of an accident): If impounded, the "Authorization to Release Vehicle" for "TOW ONLY" will be issued to the owner provided they furnish proof that the vehicle is totaled or inoperable. The owner may give a statement that the vehicle is inoperable due to an accident. The owner must pay all fees but will not be required to purchase another plate or furnish proof of insurance. The clearance letter or status sheet should indicate for "TOW ONLY."
- If the vehicle is being repossessed or voluntarily surrendered to the lien holder or through the filing of a hold harmless agreement, the "Authorization to Release Vehicle" for "TOW ONLY" may be issued to the lien holder only if supporting documentation (repossession or voluntary surrender paperwork) is provided and the license plate is cancelled or removed. No insurance is required if the vehicle is being released for "tow only". The lien holder will not pay any fees. The "no insurance" flag will remain on the owner's driving record until all required fees are paid.
- If the vehicle is being repossessed or voluntarily surrendered to the lien holder or through the filing of a hold harmless agreement, the "Authorization to Release Vehicle" may be issued to the lien holder only if supporting documentation (repossession or voluntary surrender paperwork) is provided and a contingent insurance policy (blanket policy) is submitted as proof of insurance. The vehicle does not have to be listed on the policy. The lien holder will not pay any fees. The "no insurance" flag will remain on the owner's driving record until all required fees are paid.
- If the vehicle is leased, the "Authorization to Release Vehicle" for "TOW ONLY" may be issued to the lessor (owner) provided and the license plate is cancelled or removed. The lessor will not pay any fees. The "no insurance" flag will remain on the lessee's driving record until all required fees are paid.

OWNERSHIP

The legal owner at the time of the violation will be held responsible under the Compulsory Liability Security Law.

1. If proof is provided that the person named on the violation ticket was the owner at the time of the

violation but has since disposed of the vehicle,
the no insurance flag will remain on his/her driving record and he/she will be responsible for all fees.

2. If an unregistered (or improperly registered) vehicle is impounded, the "Authorization to Release Vehicle" will not be issued to the new owner until he registers the vehicle, purchases a plate, and furnishes proof of insurance.

UNTIMELY

- Violation notices received 18 months or more after the violation date are considered untimely; therefore, no action will be taken by the Department .

RELATED POLICIES

SECTION II 36.00- [DRIVER MANAGEMENT FEES](#)

60.00- [ADMINISTRATIVE HEARING](#)

SECTION III 21.00- [ACCEPTABLE EVIDENCE OF DISPOSAL OF VEHICLE](#)

25.00- [ACCEPTABLE EVIDENCE OF INSURANCE COVERAGE](#)