



Louisiana Department of Public Safety  
Office of Motor Vehicles  
**Policy 5.00 Safety Responsibility - Accidents**

**Section:** 3. Safety Responsibility Laws

**Effective Date:** 08/01/2000

**Revised Date:** 08/01/2018

**Authority:**

[R.S. 32:871](#)

[R.S. 32:861](#)

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

**General:**

- The owner/operator of an insured vehicle which is involved in an accident may file a Safety Responsibility Claim Form ([DPSMV 3011](#)) with the Department against a driver/owner who was uninsured and at fault in the accident.
- **Ownership** - The owner at the time of the accident will be held responsible. If the vehicle is co-owned, both owners are responsible.

**Requirements:**

- Claims must be filed within one year and one day of the accident.
- There is no minimum amount that can be claimed for property damage for accidents with a date of 08/01/12 and after; the maximum amount is \$25,000.
- There is no minimum amount that can be claimed for medical for accidents with a date of 08/01/12 and after; the maximum amount is \$15,000 per person/not to exceed \$30,000 per accident.
- There is no minimum amount that can be claimed for a state owned vehicle or property for accidents with a date of 08/01/12 and after.
- **Compliance**
  - Proof of insurance covering the date of the accident.
  - A court judgment dismissing liability or a written release from liability.
  - A petition for bankruptcy, along with a schedule of debt. The schedule of debt must include all possible debts arising from the motor vehicle accident in question.
  - A recall of the suspension as the result of an administrative hearing.
  - Deposit of Security in the amount of the claim filed by adverse parties, subject to the limits of the Safety Responsibility Law.
  - A statement indicating that more than one year has passed from date of the accident and no suit has been filed.
  - A police report which clearly indicates that the driver was not at fault in the accident.
  - An acceptable installment agreement.
- **Note:** Effective 08/01/2018, a personal injury protection card issued from an insurer in another state or jurisdiction without a bodily injury endorsement shall not be sufficient proof of liability security.

- **Exceptions to Security Requirements** - A safety responsibility claim form cannot be process against the following:
  - Drivers operating a publicly owned vehicle such as vehicles owned by the US Government, the State of Louisiana, a political subdivision or municipality of this state, or a public volunteer fire department.
  - Driver/owners of an uninsured vehicle involved in a collision with an insured vehicle when the operator of the insured vehicle is guilty of, or pleads guilty to a charge of drunk driving, negligent injury, or negligent homicide.
  - Legally parked cars.
  - Vehicles operated without the owner's permission, expressed or implied. If a vehicle is used without permission, a signed statement by the owner(s) and driver must be filed with the Department to place the owner in compliance.
  - Lease-bound mobile rig haulers.
- **Claims Process** - To be accepted, a claim form must show:
  - Location of accident (city and/or parish)
  - Date of accident
  - Driver's license number of owner and/or driver. If not submitted, the name and address should be listed so that a name inquiry can be done.
  - Plate and/or VIN number
  - Accident date must be prior to prescription (one year and one day from date of accident).
- **Exceptions in Claims Processing**
  - An uninsured owner cannot make a claim against the driver of his vehicle.
  - Under the No Pay/No Play Law, a claim shall not be processed if the driver and/or owner who filed the claim was not insured, unless one of the following situations occur:
    - The other party who was at fault is convicted of a DWI at the time of the accident
    - The other party is convicted of fleeing the scene of the accident
    - The other party was in the act of committing a felony
    - The other party is convicted of intentionally causing the accident.
    - If the amount of property damage and/or medical expenses is contested by the party receiving the official notice, the claimant will be required to submit proof of the amount of damages (garage estimate, doctor/hospital bills, etc.). If the claimant does not respond within 15 calendar days or states that medical treatment will be ongoing, an administrative hearing will be granted. If the claimant responds and the substantiated amount is less than originally stipulated, a new order of security will be issued.
  - If the amount of property damage and/or medical expenses is contested by the party receiving the official notice, the claimant will be required to submit proof of the amount of damages (garage estimate, doctor/hospital bills, etc.). If the claimant does not respond within 15 calendar days or states that the medical treatment will be ongoing, an administrative hearing will be granted. If the claimant responds and the substantiated amount is less than originally stipulated, a new order of security will be issued.

**Fees:**

- \$ 25 - 1st occurrence
- \$100 - 2nd occurrence
- \$200 - 3rd occurrence
- **Note:** An occurrence is determined by the number of accidents within a five-year period. Multiple suspensions for the same accident are considered a single occurrence. The same fee is imposed regardless of the number of times the case is re-suspended.

**Related Policies:**

Section 2, Policy 36.00 [Driver Management Fees](#)

Section 2, Policy 60.00 [Administrative Hearing](#)

Section 3, Policy 5.01 [Bankruptcy Discharge Of Driver's License Suspension](#)

Section 3, Policy 8.00 [Accident Releases \(Safety Responsibility Law\)](#)

Section 3, Policy 9.00 [Installment Agreement/Promissory Note/Garnishment](#)

Section 3, Policy 11.00 [Security](#)

Section 3, Policy 12.00 [Accident Petitions](#)

Section 3, Policy 13.00 [Accident Judgments](#)

Section 3, Policy 14.00 [Proof Of Future Financial Responsibility](#)

Section 3, Policy 14.01 [Power Of Attorney/SR22](#)

Section 3, Policy 25.00 [Acceptable Evidence Of Insurance Coverage](#)