

Regular Session, 2008

# ACT No. 647

HOUSE BILL NO. 885

BY REPRESENTATIVE WOOTON

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AN ACT

To amend and reenact R.S. 32:667(D) and (E), relative to the suspension or revocation of driving privileges; to require the Department of Public Safety and Corrections to forward a record of a case to the division of administrative law; to require that the division of administrative law schedule a hearing after receiving the record; to permit the division of administrative law to grant a continuance of a hearing; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 32:667(D) and (E) are hereby amended and reenacted to read as follows:

§667. Seizure of license; circumstances; temporary license

\* \* \*

D.(1) Upon receipt of a request for an administrative hearing, the ~~department~~ Department of Public Safety and Corrections shall issue a document extending the temporary license, which shall remain in effect until the completion of administrative suspension, revocation, or cancellation proceedings. ~~The department shall promptly schedule such request for hearing.~~ The Department of Public Safety and Corrections shall forward the record of the case to the division of administrative law for a hearing within sixty days of the date of arrest.

~~(2)(a) No delay of the hearing shall be granted by the department, unless requested in writing at least three days prior to such hearing, and upon a showing of good cause for the delay. However, in the case of an unforeseen emergency the secretary or his designee may waive the requirement for a written request to be submitted three days prior to the hearing in order to grant a delay.~~

