



Louisiana Department of Public Safety
Office of Motor Vehicles
Policy 2.00 Notice of Violation

Section: 3. Safety Responsibility Laws

Effective Date: 11/22/1999

Revised Date: 10/18/2021

Authority:

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

[R.S. 32:863.1](#)

[R.S. 32:862 \(D\)](#)

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

Objective:

- 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.^{1,2} If the vehicle is out of compliance, a “notice of violation” will be placed on the vehicle record. This policy describes compliance requirements for “notice of violation”.

Definitions:

- **Notice of Violation (NOV)** – An administrative revocation placed on the vehicle owner’s record and the vehicle record for vehicle being on the roadway without proof of insurance.
- **Types of Compliance** – Documented evidence that a vehicle is in compliance (i.e. certificate of insurance, cancelled plate documentation, bill of sale, proof of loss, etc.)³

Eligibility:

- Applicants are eligible to clear notice of violations if he/she complies with all applicable requirements outlined in this policy.

General:

- Effective January 1, 1998, when an operator of a motor vehicle is unable to furnish evidence of liability insurance or some type of security at the time of an accident, traffic offense, or administrative violation check point, the vehicle may be impounded and/or the license plate removed and a Compulsory Violation Notice issued by the law enforcement officer.
 - The Notice of Violation ticket issued serves as the owner's official notification.
 - The day after the violation will be considered the first day of the three-day period, excluding Saturdays, Sundays, and legal holidays as determined by the Division of Administration.
 - The law enforcement agency will issue a Temporary Vehicle Use Authorization for three (3) business days. This sticker is placed on the back window of the vehicle.
 - The law enforcement agency will deliver the license plate to the local motor vehicle office listed on the violation ticket.

- The plate will be flagged for the "Notice of Violation" (NV flag) and the notice of violation will be added to the record by the Office of Motor Vehicles. The license plate will be held for three (3) business days, allowing the owner time to provide acceptable proof of insurance.
- If the license plate was seized at the time of the violation and a new plate was issued prior to the "Notice of Violation" flag being set, the ticket must be processed and the "NV" flag must be set on the new plate.
- **Ownership and Assignment of NOV**
 - **Individually Owned** - The Notice of Violation (NOV) is added to the owner of the vehicle.
 - **Leased Vehicles** - If the vehicle is leased the NOV goes to the Lessee.
 - **Rented Vehicles** - If the vehicle is rented/rent to own the NOV goes to the rent company not the renter.
 - **Transfer of Ownership** - If 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.
 - If the vehicle belongs to a new owner. They must register the vehicle before the NOV can be reinstated.
 - 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.
 - **Unregistered or Improperly Registered Vehicle** - If an unregistered or improperly registered vehicle is impounded, the "Authorization to Release Vehicle" will not be issued until the new owner properly registers the vehicle, purchases a plate, furnishes proof of insurance, and pays the notice of violation fees for the vehicle.
 - **If a dealership is the owner of the vehicle, the dealership must apply for a title in their name.**
- The owner of the vehicle has three (3) business days from the date of violation to comply.²
- The vehicle may be impounded and will require an Authorization to Release Vehicle (DPSMV1997) form to get the vehicle from the impound, which is provided by the Office of Motor Vehicles.²
- **Administrative Hearing**
 - The administrative hearing is limited to a review of the issue of whether the vehicle was covered by a valid policy of insurance at the time of the violation.²
 - The owner has thirty (30) days from the date of violation to request an administrative hearing. The request must be submitted in writing.²

Required Documentation:

- If the vehicle is **insured at the time of violation** and applicant contacts the Office of Motor Vehicles **within** three business days, the following is required:²
 - Notice of Violation ticket, unless already added to the record.
 - Proof of liability insurance, which will be copied and verified by the analyst.
 - If liability insurance went into effect on the date of the violation, the analyst must verify the effective time of the policy, to verify that the vehicle was insured at the time of the violation.
 - If the plate/registration is valid, the plate and/or registration is returned to the owner. If plate/registration is expired, it must be renewed prior to being returned to the customer. If the plate has not been brought in to OMV, the customer has the option to purchase a new plate, instead of waiting for plate to be brought in.
 - Issue an "Authorization to Release Vehicle" for the wrecker service to the owner, if applicable. If the vehicle does not have or is not issued a valid plate, the analyst must issue an Authorization to Release Vehicle (DPSMV1997) for "Tow Only" to the owner.
- If the vehicle is **insured at the time of violation** and customer contacts the Office of Motor Vehicles **after** three business days, the following is required:
 - Notice of Violation ticket, unless already added to the record
 - Proof of liability insurance, which is copied and verified by the analyst
 - If liability insurance went into effect on the date of the violation, the analyst must verify the effective time of the policy to verify that the vehicle was insured at the time of the violation.
 - Plates are cancelled after three (3) business days, excluding Saturdays, Sundays, and holidays as defined by the Division of Administration. The plate will stay cancelled and the customer must purchase an updated plate and registration, if the customer wants to use the vehicle.
 - The Office of Motor Vehicles shall issue an Authorization to Release Vehicle (DPSMV1997) for the wrecker service to the owner, if applicable.
 - If the vehicle does not have or is not issued a valid plate, the analyst must issue an Authorization to Release Vehicle (DPSMV1997) for "Tow Only" to the owner.
 - If applicant is requesting an Authorization to Release Vehicle (DPSMV1997) for "Tow Only," at minimum he/she must pay the notice of violation fee(s) associated with that vehicle.
- If the vehicle is **not insured at the time** of violation, the following is required:
 - Notice of violation ticket, unless already added to the record
 - Proof of compliance must be copied and verified by the analyst, unless compliance is already in the system (i.e. cancelled plate, proof of sale, disposition of vehicle, etc.).
 - If liability insurance went into effect on the date of the violation, the analyst must verify the effective time of the policy to verify that the vehicle was insured at the time of the violation.
 - Plates are cancelled after three (3) business days. The plate will stay cancelled and the applicant must purchase an updated plate and registration, if the applicant wants to use the vehicle.
 - Offenses are determined by **VIN number**, not license plate number(s).

- Proof of release for a totaled or inoperable vehicle (not drivable as a result of an accident):
 - If impounded, the Authorization to Release Vehicle (DPSMV1997) for "Tow Only" will be issued to the owner, provided he/she furnishes proof that the vehicle is totaled or inoperable. This may be in the form of a statement that the vehicle is inoperable due to an accident. The owner must pay all notice of violation fee(s) associated with that vehicle, but will not be required to purchase another plate or furnish proof of insurance.
- If the vehicle is being repossessed or voluntarily surrendered to the lienholder or through the filing of a hold harmless agreement, the Authorization to Release Vehicle (DPSMV1997) for "Tow Only" may be issued to the lien holder **only** with the following supporting documentation:
 - Repossession, voluntary surrender paperwork, or through the filing of a hold harmless agreement
 - License plate is cancelled or removed. No insurance is required.
 - The lienholder 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 lienholder or through the filing of a hold harmless agreement, the Authorization to Release Vehicle (DPSMV1997) may be issued to the lien holder **only** with the following supporting documentation:
 - Repossession, voluntary surrender paperwork, or through the filing of a hold harmless agreement
 - A contingent insurance policy, also known as a blanket policy, submitted as proof of insurance. The vehicle does not have to be listed on the policy.
 - License plate is cancelled or removed. No insurance is required.
 - The lienholder will not pay any fees. The "no insurance" flag will remain on the owner's driving record until all required fees are paid.
- **Leased Vehicle** - If the vehicle is leased, the Authorization to Release Vehicle (DPSMV1997) 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.
- **Out of State Vehicle** – If the vehicle is registered in another state, an NOV will only be processed if it was involved in a traffic accident and compliance has not been submitted to OMV within thirty (30) business days from the date of violation.²

Fees:

- \$110.00 for the first offense (\$100.00 reinstatement fee plus \$10.00 administrative fee).²
- \$260.00 for the second offense (\$250.00 reinstatement fee plus \$10.00 administrative fee).²
- \$510.00 for any subsequent offense (\$500.00 reinstatement fee plus \$10.00 administrative fee).²
 - As of 10/18/2021 partial payments can be accepted for NOV's with compliance. The flags will not be removed until paid in full or the NOV is in an active installment plan.

Related Policies:

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

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

Section 3, Policy 21.00, [Acceptable Evidence Of Disposal Of Vehicle](#)

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

References:

- ¹ – Louisiana State Legislature. *Security Required* (R.S. 32:861), retrieved from <https://legis.la.gov/Legis/Law.aspx?p=y&d=88604>.
- ² – Louisiana State Legislature. *Proof of Compliance* (R.S. 32:862), retrieved from <https://legis.la.gov/Legis/Law.aspx?d=88605>.
- ³ – Louisiana State Legislature. *Evidence of Compulsory Motor Vehicle Liability Security Contained in Vehicle; Enforcement; Penalty, Fees* (R.S. 32:863.1), retrieved from <https://legis.la.gov/Legis/Law.aspx?d=88607>.