



Louisiana Farm Bureau Federation, Inc.

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April 22, 2020

To: LFBF State Board, Executive Committee, Parish Presidents, LFBF Commodity Advisory Committees, Young Farmers and Ranchers Committee, Women's Committee, LFBF Field Staff, LFBF Staff, Advisors

From: Brian Breaux – Senior Commodity/Public Policy Director

RE: Labor Issues Update

H-2A Workers – Driver's Licenses during period of LA Office of Motor Vehicle Field Office Closures

Since all Louisiana Office of Motor Vehicles (OMV) field offices are closed around the state due to the COVID-19 virus, there have been several questions regarding renewal of Louisiana Driver's Licenses for Louisiana residents and returning H-2A workers as well as questions on how to handle Driver's Licenses for new H-2A workers.

In reply to LFBF, Louisiana Office of Motor Vehicles, Commissioner Karen St. Germain has relayed that the Louisiana Office of Motor Vehicles is allowing Louisiana residents and returning H-2A workers with an expired Louisiana Driver's License to renew their Louisiana Driver's licenses at Public Tag Agents (PTA) located around the State. This includes renewal of REAL ID Driver's Licenses.

To find a Public Tag Agent (PTA) in your area, log onto <https://www.expresslane.org/Pages/default.aspxexpresslane.org> and at the top of the page, enter the closest city to your location to find the closest Public Tag Agent (PTA) that is open in your area. Public Tag Agents request that you call them first to set up an appointment. The Public Tag Agent will notify you as to what documents you will need to provide.

The Complete LA-OMV List of Transactions that can be performed by Public Tag Agents are listed below:

- Vehicle Registration and Titling
- Private sale transfers
- Out of state transfers
- Renewals
- Lost plates
- Lost stickers
- Duplicate registration
- Duplicate title
- Recordation of lien
- Lien release
- Address change
- Reinstatement (authorized transactions)
- Driver License and Identification Cards
- Duplicates
- Change of Address

Driver's Licenses - New H-2A Workers: Public Tag Agents cannot issue a Louisiana Driver's License to a new H-2A worker that has never held a Louisiana Driver's License because they *(and their in person*

photo) are not in the REAL ID system. However, individuals that possess a valid foreign driver's license can operate an automobile/ pick-up truck in Louisiana for a maximum period of 90 days. (**See Law below**)

RS 32:404 LOUISIANA REVISED STATUTE

§404. Operation of motor vehicles by nonresidents, students, and military personnel and dependents; reciprocity agreements with foreign countries

- A.** A nonresident or a nonresident minor, who has been licensed to drive or operate a motor vehicle under the laws of his home state and who has in his immediate possession a valid license issued to him by his home state, shall be permitted to drive a motor vehicle in this state without examination or license for a period not to exceed ninety days. The department is authorized to promulgate rules and regulations covering the case of any person whose home state does not require a license, and they shall have the full force and effect of law.

CDL Waivers for CDL's and Medical Cards Expiring After March 1, 2020

Due to the closure of Offices of Motor Vehicles Field Offices and doctor's offices, the Federal Motor Carrier Safety Administration (FMCSA) issued waivers for expiring CDL's and medical cards allowing eligible CDL drivers to operate until June 30, 2020. Here are a few of the high points and exceptions.

The June 30, 2020 waiver applies to CDL's expiring on or after March 1, 2020 and medical cards expiring after March 1, 2020. However, the waiver does not apply if the CDL expired before March 1, 2020 and does not apply to medical cards that expired on or before March 1, 2020. The June 30, 2020 waiver also does not apply to medical cards if the medical examiner's certificates was originally issued for less than 90 days. CDL drivers operating under the June 30, 2020 waiver with a medical card that expired after March 1, 2020 must still carry their proof of a valid medical certificate that expired on or after March 1, 2020 and must carry a paper copy of their expired medical certificates. The June 30, 2020 waiver also does not apply to CDL drivers that have had their driver's privileges suspended or withdrawn for traffic offenses.

In the waiver, the FMCSA continues to recognize the validity of commercial driver's licenses issued by Canadian Provinces and Territories and Licencias Federales de Conductor issued by the United Mexican States when such jurisdictions issue a similar notice or declaration extending the validity date of the medical examination and certification and/or validity of the corresponding commercial driver's license due to interruption to government service resulting from COVID-19. For the complete waiver, use link below:

<https://www.fmcsa.dot.gov/emergency/three-month-waiver-response-covid-19-emergency-states-and-clp-holders-operating>

Payroll Protection Act (PPP) and Economic Injury Disaster Program (EIDL) - Is your PPP Application Ready?

The Senate has passed the Paycheck Protection Program and Health Care Enhancement Act (H.R. 266) and the House will vote on the measure on Thursday, April 23rd. According to Louisiana bankers, many Louisiana farmers PPP applications did not file a PPP application because H-2A wages could not be included in PPP average wage calculations. Other farmers applications were not completed and filed in time before the PPP funds ran out.

In addition to the \$310 billion for the Payroll Protection Program (PPP), this legislation also contains an additional \$60 billion for the SBA - Economic Injury Disaster Loan (EIDL) Program with new eligibility for farmers and ranchers. The new eligibility allows agricultural operations with fewer than 500 employees to qualify for the SBA's - Economic Injury Disaster Loan (EIDL) Program, which offers up to \$10,000 in advance to businesses that are losing revenue amid the coronavirus pandemic.

It is not known if the second round of PPP funding will permit H-2A wages to be included in average wage calculations for SBA-PPP Loans. However, farmers are being strongly encouraged to continue working aggressively with their accountant, tax preparer and/or financial advisor to submit a PPP loan application and an EIDL loan application depending on their particular situation.

These SBA-PPP loans will be provided on a first-come-first-serve basis and will go quickly, possibly in as little as 4 days once the SBA begins processing the SBA- PPP and EIDL Loans. The PPP pays for up to 8 weeks of employee wages with an SBA -PPP Loan that can be forgiven when 75% is used to pay for employee wages. Please try not to miss out on these valuable assistance programs.

If you need assistance to submit an application for an SBA-PPP loan, we were reminded that the Farm Bureau Bank is an SBA lender that is qualified and can assist farmers in filing an SBA-PPP loan application.

Here is a message from the Farm Bureau Bank.

The Senate has passed an additional \$310 billion for the Paycheck Protection Program for Small Business Loans and it will hopefully pass in the House tomorrow. Many Members are challenged with accessing these funds due to huge backlogs at large national banks and the lack of participation by many Farm Credit banks and small community banks. The demand is enormous, and we expect this round of funding to run out in a just a few short days. We encourage Members to act now and apply if they want access to the program.

We are here to help. Farm Bureau Bank continues to process applications so that we can quickly submit the information to the SBA as soon as the system is reopened for application submission, which may be as early as Friday. We have the capacity and expertise to help your Members as we have already worked with Members in 26 states. The details of the program, as well as access to the application, are attached. Both can also be found on our website, www.farmbureaubank.com.

If you have any questions regarding this letter, please contact me at brianb@lfbf.org or 225-603-0924.

For other members of the LFBF Commodity Dept., Andy Brown can be contacted at andyb@lfbf.org or 225-480-8842 and Ron Harrell can be contacted at ronh@lfbf.org or 225-235-0735.