2017 Regular Session

HOUSE BILL NO. 105

BY REPRESENTATIVE MAGEE

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

CRIME: Provides relative to the crime of improper supervision of a minor with respect to off-road vehicles and golf carts

1	AN ACT
2	To amend and reenact R.S. 14:92.2(B)(4) and to enact R.S. 14:92.2(A)(5) and (B)(5),
3	relative to improper supervision of a minor; to provide relative to the crime of
4	improper supervision of a minor by parent or legal custodian; to add elements of the
5	crime with respect to certain off-road vehicles and golf carts; to provide for
6	penalties; and to provide for related matters.
7	Be it enacted by the Legislature of Louisiana:
8	Section 1. R.S. 14:92.2(B)(4) is hereby amended and reenacted and R.S.
9	14:92.2(A)(5) and (B)(5) are hereby enacted to read as follows:
10	§92.2. Improper supervision of a minor by parent or legal custodian; penalty
11	A. Improper supervision of a minor by a parent or legal custodian, who has
12	care and control of the minor, includes any of the following activities:
13	* * *
14	(5) Causing or permitting an unlicensed minor to drive an off-road vehicle,
15	mini-truck, utility terrain vehicle, or golf cart upon any public road, highway, or
16	shoulder of any public road or highway in this state, in violation of R.S. 32:299,
17	<u>299.2, 299.3, or 299.4.</u>
18	В.
19	* * *

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1	(4) Whoever violates the provisions of Paragraph $(A)(5)$ of this Section shall
2	be punished by a fine of not more than one hundred dollars.
3	(4)(5) Whoever violates the provisions of Subparagraph (A)(2)(c) of this
4	Section, shall be fined not less than twenty-five dollars and not more than two
5	hundred fifty dollars for each offense, or imprisoned for not more than thirty days,
6	or both. The court shall impose a minimum condition of probation which may
7	include that the parent or legal custodian participate in forty hours of school or
8	community service activities, or a combination of forty hours of school or
9	community service and attendance in parenting classes or family counseling sessions
10	or programs approved by the court having jurisdiction, as applicable, or the
11	suspension of any state-issued recreational license.
12	* * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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Abstract: Adds causing or permitting an unlicensed minor to drive off-road vehicles or golf carts on any public road, highway, or shoulder of any public road or highway to the crime of improper supervision of a minor by a parent or legal custodian.

<u>Present law</u> (R.S. 32:299, 299.2, 299.3, and 299.4) prohibits unlicensed drivers from operating off-road vehicles, mini-trucks, utility terrain vehicles, and golf carts on public roads or highways. <u>Proposed law</u> retains <u>present law</u>.

<u>Present law</u> provides for the crime of improper supervision of a minor by a parent or legal custodian who has care and control of the minor, and provides for penalties, including a fine of not less than \$25 and not more than \$250, imprisonment for not more than 30 days, or both.

<u>Proposed law</u> adds to the <u>present law</u> crime of improper supervision of a minor by a parent or legal custodian causing or permitting an unlicensed minor to drive off-road vehicles, mini-trucks, utility terrain vehicles, or golf carts on any public road, highway, or shoulder of any public road or highway.

<u>Proposed law</u> subjects any person who violates the provisions of <u>proposed law</u> to a fine of not more than \$100 and otherwise retains <u>present law</u> penalties.

(Amends R.S. 14:92.2(B)(4); Adds R.S. 14:92.2(A)(5) and (B)(5))