Regular Session, 2011

HOUSE BILL NO. 190

BY REPRESENTATIVE THIBAUT

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

MTR VEHICLE/TOWING: Repeals the prohibition on the impoundment of motor vehicles in certain circumstances

AN ACT

To repeal R.S. 32:392.1, relative to motor vehicles; to repeal the prohibition on the impoundment of motor vehicles in certain circumstances.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 32:392.1 is hereby repealed in its entirety.

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)]

Thibaut HB No. 190

Abstract: Repeals the provision of law prohibiting the impoundment of a private vehicle or motorcycle by a law enforcement officer when the vehicle is being operated by a La. resident and no imminent danger to the public is present.

Present law prohibits impoundment of a private passenger car, pickup truck, van, recreational vehicle, or motorcycle stopped while being operated by a La. resident by a law enforcement officer where such vehicle or operator, or both, present no imminent danger to the public.

Present law provides that an operator who is a resident of La. shall be issued a notice of noncompliance and allowed to proceed. Provides further that a law enforcement officer may remove the license plate from a private passenger car, pickup truck, van, recreational vehicle, or motorcycle.

Present law provides that the impoundment prohibition applies to a first violation and makes impoundment discretionary with the law enforcement officer for a second or subsequent violation.

Proposed law repeals present law.

(Repeals R.S. 32:392.1)