

Regular Session, 2012
HOUSE BILL NO. 503
BY REPRESENTATIVE ARNOLD

ACT No. 497

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

AN ACT

To amend and reenact R.S. 13:2501.1(F) and to enact R.S. 13:1337(C), 2151(E), and 2151.4(E), relative to courts and judicial procedure; to provide relative to the jurisdiction of the Traffic Court of New Orleans and the First and Second City Courts of New Orleans; to provide relative to appeals by any person aggrieved by a decision concerning a traffic violation enforced by the city of New Orleans' automated traffic enforcement system; to provide certain terms and conditions; and to provide for related matters.

Notice of intention to introduce this Act has been published as provided by Article III, Section 13 of the Constitution of Louisiana.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 13:2501.1(F) is hereby amended and reenacted and R.S. 13:1337(C), 2151(E), and 2151.4(E) are hereby enacted to read as follows:

§1337. Appellate and supervisory jurisdiction; writs

* * *

C. The traffic court shall have exclusive appellate jurisdiction of all appeals by any person aggrieved by an administrative hearing officer's decision concerning a traffic violation enforced by the city of New Orleans' automated traffic enforcement system. Any aggrieved person shall file such appeal within thirty days after the date of such decision. The traffic court shall have de novo review over such appeals. The traffic court shall adopt rules regulating the manner of taking, hearing, and deciding such appeals.

* * *

1 §2151. Sections of first city court; election of judges; presiding judge; jurisdiction

2 * * *

3 E. The first city court shall have jurisdiction over appeals by any person
 4 aggrieved by a decision of the traffic court concerning a traffic violation enforced by
 5 the city of New Orleans' automated traffic enforcement system. Appeals from the
 6 traffic court shall extend to the law and shall be tried upon the records made and the
 7 evidence offered in court by the judge to whom the appeal shall be allotted. Any
 8 aggrieved person shall file such appeal within thirty days of such decision. The first
 9 city court shall adopt rules regulating the manner of taking, hearing, and deciding
 10 such appeals.

11 * * *

12 §2151.4. Second city court; judge; clerk; constable; jurisdiction

13 * * *

14 E. The second city court shall have jurisdiction over appeals by any person
 15 aggrieved by a decision of the traffic court concerning a traffic violation enforced by
 16 the city of New Orleans' automated traffic enforcement system. Appeals from the
 17 traffic court shall extend to the law and shall be tried upon the records made and the
 18 evidence offered in court by the judge to whom the appeal shall be allotted. Any
 19 aggrieved person shall file such appeal within thirty days of such decision. The
 20 second city court shall adopt rules regulating the manner of taking, hearing, and
 21 deciding such appeals.

22 * * *

23 §2501.1. Traffic Court of New Orleans

24 * * *

25 F. The jurisdiction of this court shall extend to the trial of violations of the
 26 ordinances of the city of New Orleans regulating traffic within the city of New
 27 Orleans. The jurisdiction of the court shall further extend to the trial of offenses
 28 involving traffic and the regulation thereof punishable by state statute including
 29 violations of the Criminal Code of Louisiana involving traffic and the trial of
 30 violations relating to street and highway regulatory laws and such other state laws

1 as relate to the operation of a vehicle. The jurisdiction over state traffic offenses
 2 shall be concurrent with the Criminal District Court for the Parish of Orleans. In
 3 addition, every prosecution in the Traffic Court of New Orleans under state law shall
 4 be filed in the court by affidavit or bill of information under the provision of state
 5 law defining the offense and such prosecution shall be brought by the city attorney
 6 of New Orleans. The jurisdiction of the court shall further extend to appeals by any
 7 person aggrieved by an administrative hearing officer's decision concerning a traffic
 8 violation enforced by the city of New Orleans' automated traffic enforcement system.
 9 Any aggrieved person shall file such appeal within thirty days after the date of such
 10 decision. The traffic court shall have de novo review over such appeals. The traffic
 11 court shall adopt rules regulating the manner of taking, hearing, and deciding such
 12 appeals. The traffic court shall have no other jurisdiction, and shall not have
 13 jurisdiction over the trial of any state offense that now or hereafter may require a trial
 14 by jury.

15 * * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____