

2020 Regular Session

HOUSE BILL NO. 604

BY REPRESENTATIVE DEVILLIER

MTR VEHICLE/VIOLATIONS: Requires the issuance of a written warning when certain vehicles have minor maintenance issues

1 AN ACT

2 To amend and reenact R.S. 32:57(A) and to enact R.S. 32:53(E), relative to penalties for
3 improper equipment on vehicles; to provide for the issuance of a warning for first
4 time violators of certain infractions operating certain vehicles; to provide for the
5 issuance of a citation based on the original violation for noncompliance with proof
6 of repair documentation and; the applicable time to resolve the violation; and to
7 provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 32:57(A) is hereby amended and reenacted and R.S. 32:53(E) is
10 hereby enacted to read as follows:

11 §53. Proper equipment required on vehicles; display of plate

12 * * *

13 E.(1) The Department of Public Safety and Corrections, the weight and
14 standards police officers, and the Bossier Parish Police Jury Commercial Vehicle
15 Enforcement Unit may at any time upon reasonable cause to believe that a vehicle
16 or combination of vehicles, such as an eighteen wheeler, a tractor trailer, and a truck,
17 is unsafe or not equipped as required by law, or that its equipment is not in proper
18 adjustment or repair, require the driver of that vehicle or combination of vehicles to
19 stop and submit to a vehicle inspection, as may be appropriate.

- 1 Enforcement Unit shall promulgate and adopt rules and regulations necessary to implement
2 the provisions of this Act.
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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)]

HB 604 Original

2020 Regular Session

DeVillier

Abstract: Requires the operator of a 18-wheeler, tractor trailer, or truck be issued a written warning, in lieu of a citation, for first time violations when the citation is for minor equipment maintenance issues.

Present law prohibits a person who drives, moves, causes or knowingly authorizes a vehicle owned or controlled by that person to be driven or moved on any state highway in an unsafe condition that would endanger any person or property. Present law also prohibits a person who drives, moves, causes or knowingly authorizes a vehicle owned or controlled by that person on a state highway which does not contain necessary parts or is not equipped with lights and other equipment in proper condition and adjustment.

Present law requires first violations to be punished by a fine of a maximum of \$175 or by imprisonment of a maximum of 30 days, or both, unless otherwise specified.

Proposed law authorizes the Dept. of Public Safety and Corrections, the weight and standards police officers, and the Bossier Parish Police Jury Commercial Vehicle Enforcement Unit to stop and inspect a vehicle or combination of vehicles, such as an 18-wheeler, tractor trailer, or truck, upon reasonable cause to believe that the vehicle or combination of vehicle is unsafe, not equipped as required by law, or that its equipment is not in proper condition.

Proposed law requires the officer give a written warning instead of a citation and requires the owner or operator send a copy of documentation, such as an invoice detailing a mechanical repair directly related to the written warning, to the department within three days. If the documentation is not received within three days then proposed law requires the owner or operator be issued a citation for the original violation.

Proposed law requires the Dept. of Public Safety and Corrections, the weights and standards police officers, and the Bossier Police Jury Commercial Vehicle Enforcement Unit to promulgate and adopt rules and regulations necessary to implement the provisions of proposed law.

(Amends R.S. 32:57(A); Adds R.S. 32:53(E))