

Regular Session, 2014

HOUSE BILL NO. 896

BY REPRESENTATIVES DANAHAAY AND WILLMOTT

TRAFFIC/VIOLATIONS: Prohibits the use of photo speed enforcement devices on interstates

1 AN ACT

2 To enact R.S. 32:43, relative to automated speed enforcement devices; to prohibit the
3 installation and use of automated speed enforcement systems on state highways; to
4 prohibit the imposition and collection of certain fines, fees, or penalties under certain
5 circumstances; to provide for definitions; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 32:43 is hereby enacted to read as follows:

8 §43. Automated speed enforcement devices; prohibition

9 A.(1) Local municipal authorities or local parish authorities shall not install
10 or utilize automated speed enforcement devices to regulate traffic on interstate
11 roadways within their corporate or territorial limits.

12 (2) The provisions of this Section shall not apply to highway construction
13 zones, where work is being performed by the Department of Transportation and
14 Development or a private contractor under contract with the Department of
15 Transportation and Development, where construction workers are present. However,
16 the exemption provided by this Paragraph shall not apply to local municipal
17 authorities and local parish authorities.

18 B. For the purposes of this Section, the term "automated speed enforcement
19 device" means an unmanned or handheld camera or optical device installed to work
20 in conjunction with a traffic control signal or radar speed detection equipment, or
21 both, and designed to collect photographic evidence of alleged traffic violations for
22 the issuance of traffic citations by recording images that depict the license plate or

1 other identifying feature of a motor vehicle not in compliance with instruction of a
2 traffic control signal or posted traffic sign.

3 C. Effective January 1, 2015, local municipal authorities or local parish
4 authorities shall not impose or collect any civil or criminal fine, fee, or penalty as a
5 result of an image produced by an automated speed enforcement device in violation
6 of this Section.

7 Section 2. This Act shall become effective upon signature by the governor or, if not
8 signed by the governor, upon expiration of the time for bills to become law without signature
9 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
10 vetoed by the governor and subsequently approved by the legislature, this Act shall become
11 effective on the day following such approval.

12 Section 3. Any local municipal authority or local parish authority using an
13 automated speed enforcement device in violation of this Act shall discontinue such use by
14 January 1, 2015.

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)]

Danahay

HB No. 896

Abstract: Prohibits the use of photo speed enforcement devices on state maintained roads within the territorial or corporate limits of a municipality or parish.

Proposed law prohibits the use of automated speed enforcement devices by local municipal authorities or local parish authorities on interstate roadways within their corporate or territorial limits.

Proposed law excludes highway construction zones where construction workers are present and work is being performed by the Department of Transportation and Development (DOTD) or a private contractor with DOTD. However, prohibits the application of the exception to local municipal authorities and local parish authorities regardless of whether they are performing construction work.

Proposed law defines "automated speed enforcement device" as an unmanned or handheld camera or optical device installed to work in conjunction with a traffic control signal or radar speed detection equipment, or both, and designed to collect photographic evidence of alleged traffic violations for the issuance of traffic citations by recording images that depict the license plate or other identifying feature of a motor vehicle not in compliance with instruction of a traffic control signal or posted traffic sign.

Proposed law prohibits any local municipal authority or local parish authority from imposing or collecting any civil or criminal fine, fee, or penalty as a result of an image produced in violation of proposed law on or after Jan. 1, 2015.

Requires any local municipal authority or local parish authority to discontinue use of automated speed enforcement devices in violation of this Act by Jan. 1, 2015.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 32:43)

Summary of Amendments Adopted by House

House Floor Amendments to the engrossed bill.

1. Authorizes the use of automated speed enforcement devices on interstate highways where DOTD or one of its contractor's is performing construction work.
2. Prohibits local municipal and parish authorities from using automated speed enforcement devices on interstate highways regardless of whether the local authority is performing construction work.