Regular Session, 2010 ACT No. 297

AN ACT

HOUSE BILL NO. 915

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## BY REPRESENTATIVE RICHARDSON

| 2  | To amend and reenact R.S. 13:2571(A) and (B), relative to parking violations; to provide for |
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| 3  | the enforcement of certain ordinances; to provide with respect to municipalities             |
| 4  | having a population of twenty-five thousand or more; and to provide for related              |
| 5  | matters.   |
| 6  | Be it enacted by the Legislature of Louisiana:   |
| 7  | Section 1. R.S. 13:2571(A) and (B) are hereby amended and reenacted to read as               |
| 8  | follows:   |
| 9  | §2571. Parking violations; administrative adjudication; procedure; appeal; penalties         |
| 10 | A. The city of Lafayette, the city of Gretna, and any municipality having a                  |
| 11 | population of one hundred twenty-five thousand or more may prescribe civil fines             |
| 12 | for violation of ordinances prohibiting parking, stopping, or standing in certain areas      |
| 13 | of the municipality pursuant to the procedures for administrative adjudication               |
| 14 | provided in this Chapter.  |
| 15 | B. The city of Lafayette, the city of Gretna, and each municipality with a                   |
| 16 | population of one hundred twenty-five thousand or more may adopt an ordinance                |
| 17 | establishing an administrative adjudication hearing procedure under the provisions           |
| 18 | of this Chapter. Each ordinance shall provide a time period for persons charged with         |
| 19 | violating a parking, stopping, or standing ordinance to have a hearing under the             |
| 20 | provisions of this Chapter. The ordinance shall provide for appointment of hearing           |
| 21 | officers who shall have been licensed to practice law in Louisiana for five years and        |
| 22 | who shall have authority to administer oaths and affirmations and to issue orders            |
| 23 | compelling the attendance of witnesses and the production of documents. Any order            |
| 24 | compelling the attendance of witnesses or the production of documents may be                 |

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enforced by the city court of the municipality, or the parish court, or the district court in which the municipality is located. Except in municipalities having a population of four hundred eighty-five thousand or more persons, the ordinance may provide for a legal presumption that the vehicle's registered owner was the operator at the time of the charged violation. Any municipality having a population of four hundred eighty-five thousand or more persons which has by ordinance provided for an administrative hearing pursuant to the provisions of this Section shall bear the burden of proving by a preponderance of the evidence that the person receiving the ticket or summons committed the parking, stopping, or standing violation.

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| SPEAKER OF THE HOUSE OF REPRESENTATIVES |  |
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| PRESIDENT OF THE SENATE                 |  |
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| GOVERNOR OF THE STATE OF LOUISIANA      |  |

APPROVED: