

Regular Session, 2014

SENATE BILL NO. 117

BY SENATOR GUILLORY

MOTOR VEHICLES. Provides relative to penalties for certain traffic violations. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 32:57(A) and to enact R.S. 32:57(I) and (J), relative to motor  
3 vehicles; to provide enhanced penalties for certain traffic violations; and to provide  
4 for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 32:57(A) is hereby amended and reenacted and R.S. 32:57(I) and (J)  
7 are hereby enacted to read as follows:

8 §57. Penalties; alternatives to citation

9 A. The first violation of the provisions of this Chapter or any regulation of  
10 the department, secretary, and commissioner made pursuant thereto shall be punished  
11 by a fine of not more than one hundred seventy-five dollars or by imprisonment for  
12 not more than thirty days, or both, unless otherwise specifically provided. A  
13 subsequent violation shall be punished by a fine of not more than five hundred  
14 dollars or by imprisonment for not more than ninety days, or both, **unless otherwise**  
15 **specifically provided.**

16 \* \* \*

17 **I. A person who operates a vehicle upon any highway in this state in**

1           excess of the speed limit by fifteen miles per hour or more shall be punished by  
 2           a fine of not more than five hundred dollars or by imprisonment for not more  
 3           than six months, or both, for the first violation. Any subsequent violation shall  
 4           be punished by a fine of not more than one thousand dollars or by  
 5           imprisonment for not more than one year, or both.

6           J. A person who operates a vehicle upon any highway in this state unless  
 7           and until he has been issued a license to do so as required by the laws of this  
 8           state shall be punished by a fine of not more than five hundred dollars or by  
 9           imprisonment for not more than six months, or both, for the first violation. Any  
 10           subsequent violation shall be punished by a fine of not more than one thousand  
 11           dollars or by imprisonment for not more than one year, or both.

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

---

The original instrument and the following digest, which constitutes no part  
 of the legislative instrument, were prepared by Sharon F. Lyles.

---

#### DIGEST

Guillory (SB 117)

Present law imposes a fine of not more than \$175 or imprisonment for not more than 30 days, or both, unless otherwise specifically provided, for the first violation of the provisions of the Louisiana Highway Regulatory Act, Chapter 1 of R.S. 32 or any regulation of the department, secretary, and commissioner made pursuant thereto. Imposes a fine of not more than \$500 or imprisonment for not more than 90 days, or both, for a subsequent violation.

Proposed law retains present law to provide for a different penalty for a subsequent violation by specific provision in law.

Proposed law imposes a fine of not more than \$500 or imprisonment for not more than six months, or both, for the first violation by a person for exceeding the speed limit by 15 miles per hour or more. Imposes a fine of not more than \$1,000 or imprisonment for not more than one year, or both, for a subsequent violation.

Proposed law imposes a fine of not more than \$500 or imprisonment for not more than six months, or both, for the first violation by a person for operation of a vehicle without obtaining a driver's license. Imposes a fine of not more than \$1,000 or imprisonment for not more than one year, or both, for a subsequent violation.

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

(Amends R.S. 32:57(A); adds R.S. 32:57(I) and (J))