

Regular Session, 2010

SENATE BILL NO. 767

BY SENATOR MCPHERSON

TRAFFIC. Provides for disposition of fines collected by local law enforcement for exceeding the posted speed limit by less than ten miles per hour and court costs for multiple citations. (7/1/10)

1 AN ACT

2 To amend and reenact R.S. 32:266(B) and to enact R.S. 32:57(I), relative to traffic offenses;
3 to provide relative to the disposition of fines for exceeding the posted speed limit on
4 an interstate highway; to change the name of the "Louisiana Highway Safety
5 Commission Fund"; to provide relative to court costs for multiple offenses; and to
6 provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 32:266(B) is hereby amended and reenacted and R.S. 32:57(I) is
9 hereby enacted to read as follows:

10 §57. Penalties; alternatives to citation

11 * * *

12 **I. Notwithstanding any provision of law to the contrary, any person who**
13 **is found guilty, pleads guilty, or pleads nolo contendere to multiple offenses of**
14 **Title 32 of the Louisiana Revised Statutes of 1950, resulting from a single traffic**
15 **stop shall be assessed costs of court only once.**

16 * * *

17 §266. Enforcement of speed limit on certain highways; disposition of fines

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B.(1) After deposit to the Bond Security and Redemption Fund as required under the provisions of Article VII, Section 9(B) of the Constitution of Louisiana, all fines or penalties collected by or on behalf of a local law enforcement body for citations issued for exceeding the posted speed limit by less than ten miles per hour on an interstate highway, shall be forwarded to the state treasurer and credited to a special fund which is hereby created in the state treasury and designated as the "Louisiana Highway Safety ~~Commission~~ Fund."

(2) The monies in the Louisiana Highway Safety ~~Commission~~ Fund shall be used solely for ~~implementation, administration, and enforcement of highway safety programs~~ **to fund the costs to purchase and install permanent radar speed displays on interstate highways** and only in the amounts appropriated each year to the ~~commission~~ **Department of Transportation and Development** by the legislature. Any surplus monies and interest remaining to the credit of the fund on June thirtieth of each year after all such appropriations of the preceding fiscal year have been made shall remain to the credit of the fund, and no part thereof shall revert to the state general fund.

Section 2. This Act shall become effective on July 1, 2010; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on July 1, 2010, or on the day following such approval by the legislature, whichever is later.

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

DIGEST

Present law provides that after deposit to the Bond Security and Redemption Fund pursuant to Louisiana Constitution Article VII, Section 9(B), all fines or penalties collected by or on behalf of a local law enforcement body for citations issued for exceeding the posted speed limit by less than ten miles per hour on an interstate highway, shall be forwarded to the state treasurer and credited to the "Louisiana Highway Safety Commission Fund."

Present law provides that money deposited into the fund shall be appropriated to the Louisiana Highway Safety Commission to be used solely for implementation, administration, and enforcement of highway safety programs.

Proposed law changes the name of the fund to the "Louisiana Highway Safety Fund" and provides that money deposited into the fund shall be appropriated to the Department of

Transportation and Development solely to fund the costs to purchase and install permanent radar speed displays on interstate highways.

Proposed law provides that only one court cost shall be assessed to any person cited by a law enforcement officer for multiple offenses of Title 32 of the Louisiana Revised Statutes of 1950 resulting from a single traffic stop.

Effective July 1, 2010.

(Amends R.S. 32:266(B); adds R.S. 32:57(I))