

2019 Regular Session

SENATE BILL NO. 129

BY SENATOR COLOMB

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

ROADS/HIGHWAYS. Requires a local municipal or parish authority to allow certain pedestrians to stand in a roadway to solicit charitable contributions under certain circumstances. (8/1/19)

1 AN ACT

2 To amend and reenact R.S. 32:218, relative to pedestrians; to provide for the solicitation of

3 charitable contributions for charitable or civic nonprofit organizations by certain

4 pedestrians standing in a roadway; to provide relative to the regulation of charitable

5 solicitations on public roadways by a local municipal or parish authority; and to

6 provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 32:218 is hereby amended and reenacted to read as follows:

9 §218. Pedestrians soliciting rides or business

10 A. ~~No~~ **Subject to Subsection B, no** person shall stand on a public roadway

11 for the purpose of soliciting a ride, employment, or business from the occupant of

12 any vehicle.

13 B. ~~(1)~~ Subject to the permission of the ~~municipality or parish governing~~ **local**

14 **municipal or parish** authority in which the roadway is located, a member of a

15 professional firefighters association, **a police officer,** or other ~~nonprofit organization~~

16 **public safety officer** shall not be prohibited by this Section nor any other provision

17 of state law from standing on a public roadway for the purpose of soliciting

1 contributions, ~~as a member of such association,~~ on behalf of bona fide charitable **or**
2 **civic** organizations: **during daylight hours, if all of the following are satisfied:**

3 **(a) The charitable or civic organization complies with applicable local**
4 **government regulations. A local municipal or parish authority may enact or**
5 **enforce regulations that restrict, but shall not prohibit, the activity described**
6 **in this Subsection.**

7 **(b) The charitable or civic organization maintains at least five hundred**
8 **thousand dollars in liability insurance.**

9 **(c) The person is eighteen years of age or older.**

10 **(d) The person is wearing high-visibility safety apparel that meets**
11 **current American standards promulgated by the International Safety**
12 **Equipment Association.**

13 **(e) The portion of the roadway upon which the solicitation occurs is not**
14 **a work zone and is within an intersection where traffic control devices are**
15 **present.**

16 **(2) A local municipal or parish authority with jurisdiction over a**
17 **roadway upon which solicitation occurs as described in this Subsection shall not**
18 **be liable for any claim for damages arising out of the use of the roadway as**
19 **described in this Subsection.**

20 **(3) A person who violates this Subsection may be assessed a civil penalty.**

21 **(4) As used in this Subsection, "charitable or civic organization" means**
22 **a nonprofit organization that is qualified under Section 501(c)(3) or 501(c)(4)**
23 **of the Internal Revenue Code, 26 U.S.C. 501, or a veteran's organization that**
24 **has tax-exempt status under the Internal Revenue Code.**

25 **(5) A local municipal or parish authority that has enacted or is enforcing**
26 **regulations that are prohibited under this Subsection shall bring those**
27 **regulations into compliance with this Subsection no later than sixty days**
28 **following its effective date.**

