

2019 Regular Session

HOUSE BILL NO. 457

BY REPRESENTATIVE HOWARD

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

HIGHWAYS: Provides for the designation of a strict speed enforcement zone in the village of Robeline

1 AN ACT

2 To enact R.S. 32:62, relative to strict speed enforcement zones; to require the posting of
3 signage that reflects the existence of a strict speed enforcement zone; to require that
4 such signage be posted on the portion of Louisiana Highway 6, in the village of
5 Robeline; to establish requirements for notifying motorists; to prohibit the issuance
6 of citations and collecting of fines under certain circumstances; to provide for
7 definitions; to provide for an effective date; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 32:62 is hereby enacted to read as follows:

10 §62. Required notification for strict speed enforcement zones

11 A. By January 1, 2020, the Department of Transportation and Development
12 shall post signs on the portion of Louisiana Highway 6, situated in the village of
13 Robeline, notifying motorists that speed limits are strictly enforced, provided local
14 or private monies are received by the department from the village of Robeline equal
15 to the department's actual costs for material, fabrication, mounting posts, and
16 installation of each sign.

17 B.(1) Signage shall be posted on Louisiana Highway 6, no less than five
18 hundred feet from the entry of the village limits.

1 (2) The signs shall be posted in such a manner as to be clearly visible to
2 approaching motorists and shall provide a warning when motorists are entering a
3 strict speed enforcement zone.

4 C.(1) Failure by the village of Robeline to provide the monies to the
5 department as required by Subsection A of this Section shall prohibit any law
6 enforcement officer from issuing citations and any municipal or parish authority
7 from collecting fines resulting from the issuance of a citation on the portion of
8 Louisiana Highway 6 situated in the village of Robeline and the village shall pay a
9 fine of fifty dollars for every day the monies are not received by the department. The
10 fine shall be paid to the Department of Transportation and Development and a
11 portion shall be used to erect and maintain such signage. The total fine paid by the
12 village of Robeline shall not exceed two thousand dollars.

13 (2) In any proceeding to collect a civil or criminal fine, fee, or penalty by or
14 on behalf of the state or a municipal or parish authority, a rebuttable presumption
15 shall exist that signs were posted, in accordance with Subsection A of this Section,
16 notifying the motorist of the existence of a strict speed enforcement zone.

17 D. For purposes of this Section, "strict speed enforcement zone" shall mean:

18 (1) A portion of highway where traffic enforcement is focused on extracting
19 revenue from motorists instead of improving safety, made possible by speed limits
20 posted below the prevailing flow of traffic combined with excessively high
21 enforcement.

22 (2) A portion of highway that is situated in a town, city, or village which
23 derives more than seventy-five percent of its total revenue from traffic fines and
24 forfeitures.

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)]

HB 457 Reengrossed

2019 Regular Session

Howard

Abstract: Designates La. Hwy. 6 in the village of Robeline as a strict speed enforcement zone.

Proposed law requires that the Dept. of Transportation and Development post signs on the portion of La. Hwy. 6, situated in the village of Robeline, notifying motorists of the existence of a strict speed enforcement zone by Jan. 1, 2020.

Proposed law requires that the village of Robeline provide local or private monies to the department equal to the department's actual costs for material, fabrication, mounting posts, and installation of each sign by Jan. 1, 2020.

Proposed law requires that the signs be posted on La. Hwy. 6, no less than 500 feet from the entry of the village limits.

Proposed law requires that the signs be posted in such a manner as to be clearly visible to approaching motorists and specify that the signs must provide a warning when motorists are entering a strict speed enforcement zone.

Proposed law specifies that failure to provide the department with the monies in accordance with proposed law will prohibit any law enforcement officer from issuing citations and any municipal or parish authority from collecting fines resulting from the issuance of a citation on the portion of La. Hwy. 6 situated in the village of Robeline and will result in a fine to the village of Robeline of \$50 for every day the monies are not received by the department, not to exceed \$2,000.

Proposed law specifies that the fine must be paid to the Dept. of Transportation and Development and a portion must be used to erect and maintain such signage.

Proposed law indicates that in any proceeding to collect a civil or criminal fine, fee, or penalty by or on behalf of the state or a municipal or parish authority, a rebuttable presumption will exist that signs were posted notifying the motorist of the existence of a strict speed enforcement zone.

Proposed law defines "strict speed enforcement zone" as:

- (1) A portion of highway where traffic enforcement is focused on extracting revenue from motorists instead of improving safety, made possible by speed limits posted below the prevailing flow of traffic combined with excessively high enforcement.
- (2) A portion of highway that is situated in a town, city, or village which derives more than 75% of its total revenue from traffic fines and forfeitures.

(Adds R.S. 32:62)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Transportation, Highways and Public Works to the original bill:

1. Designate the portion of La. Hwy. 6 situated in Robeline, LA as a strict speed enforcement zone instead of a speed enforcement trap.
2. Change references in proposed law ~~from~~ speed enforcement trap to strict speed enforcement zones.
3. Require the Dept. of Transportation and Development to erect and maintain appropriate signage reflecting this designation provided local or private monies are received by the department from the village of Robeline equal to the department's actual costs for material, fabrication, mounting posts, and installation of each sign.
4. Make technical changes.

The House Floor Amendments to the engrossed bill:

1. Make technical changes.
2. Require the Dept. of Transportation and Development to post signs and the village of Robeline to provide local or private monies to the department equal to the department's actual costs for material, fabrication, mounting posts, and installation of each sign by Jan. 1, 2020.
3. Remove the requirement that a sign be posted no less than 500 feet beyond the exit of the village limits.
4. Specify that failure by the village of Robeline to provide the monies to the department prohibits any law enforcement officer from issuing citations and any municipal or parish authority from collecting fines resulting from the issuance of citations on such portion of Hwy. 6 and require the village to pay a fine of \$50 for every day the monies are not received by the department.
5. Require that the fine be paid to the department and a portion must be used to erect and maintain such signage.
6. Provide that the fine paid by the village of Robeline must not exceed \$2,000.