
The original instrument was prepared by Sharon F. Lyles. The following digest, which does not constitute a part of the legislative instrument, was prepared by Michelle Broussard-Johnson.

McPherson

SB No. 617

Proposed law prohibits impoundment of a motor vehicle stopped while being operated by a Louisiana resident by a law enforcement officer where such vehicle or operator, or both, present no imminent danger to the public.

Proposed law provides that an operator who is a resident of Louisiana shall be issued a notice of noncompliance if for a violation of present law, or a citation or violation ticket and allowed to proceed. Provides further that a law enforcement officer may remove the license plate from a motor vehicle.

Proposed law defines "imminent danger to the public" as a present and apparent danger to the life, health, safety, or property of the public.

Proposed law provides that the impoundment prohibition applies only to a first violation and makes impoundment discretionary with the law enforcement officer for a second or subsequent violation when the motor vehicle involves a violation of present law, the motor vehicle or its contents is an instrument of a crime or has evidentiary value or when the operator is operating a motor vehicle under suspension or revocation of his driver's license.

Effective August 15, 2010.

(Adds R.S. 32:392.1)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Transportation, Highways, and Public Works to the original bill.

1. Adds that the impoundment prohibition applies to a first violation. Makes impoundment discretionary with the law enforcement officer for a second or subsequent violation.

Senate Floor Amendments to reengrossed bill.

1. Technical amendments with clarifying language.

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Transportation, Highways and Public Works to the reengrossed bill.

1. Changes the application of proposed law from a private passenger car, pickup truck, van recreational vehicle, or motorcycles to apply to all motor vehicles.
2. Clarifies that the notice of noncompliance shall be for violation of failure to present evidence of compulsory motor vehicle liability security, a citation or violation ticket.
3. Adds a provision for impoundment for a second or subsequent offense for violation of current law or when the motor vehicle or its contents is an instrument of a crime or has evidentiary value, or when the operator is operating a motor vehicle under suspension or revocation of his driver's license.