

2016 Regular Session

HOUSE BILL NO. 1021

BY REPRESENTATIVE EDMONDS

TRAFFIC/VIOLATIONS: Requires voter approval prior to the imposition of civil fines for traffic violations based on evidence captured by automated traffic enforcement systems

1 AN ACT

2 To enact R.S. 32:44, relative to traffic violations; to require voter approval prior to the  
3 imposition of civil fines for violations based on evidence captured by automated  
4 traffic enforcement systems; to provide relative to existing fines imposed based on  
5 such evidence; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 32:44 is hereby enacted to read as follows:

8 §44. Traffic violations; civil fines; automated traffic enforcement systems

9 A. No local parish authority or local municipal authority may impose a civil  
10 fine for a violation of any traffic law, ordinance, rule, or regulation if the sole  
11 evidence of such a violation is that captured by an automated traffic enforcement  
12 system unless the imposition of such fines based on such evidence has been  
13 authorized by a majority of the voters of the parish of municipality voting on a  
14 proposition authorizing such actions at an election held for this purpose in  
15 accordance with the Louisiana Election Code.

16 B. Any local parish authority or local municipal authority that, prior to July  
17 1, 2017, has provided for the imposition of civil fines for violations of traffic laws,  
18 ordinances, rules, or regulations based on evidence captured by automated traffic  
19 enforcement systems may continue to impose such fines until July 1, 2017. On and

1       after July 1, 2017, any such local parish authority or local municipal authority may  
2       impose such civil fines only if authorized in accordance with Subsection A of this  
3       Section.

4               C. For purposes of this Section, the term "automated traffic enforcement  
5       system" means a camera or optical device erected along or above a public road,  
6       street, or highway or attached to the outside of a parked vehicle and designed to work  
7       in conjunction with a traffic control signal or radar speed detection equipment, or  
8       both, and designed to photographically record images of the license plate or other  
9       identifying feature of a motor vehicle that is operated in violation of law, ordinance,  
10       rule, or regulation.

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 1021 Original

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Edmonds

**Abstract:** Requires voter approval prior to a parish or municipality imposing a civil fine for a traffic violation based on evidence captured by an automated traffic enforcement system.

Proposed law prohibits a local parish authority or local municipal authority from imposing a civil fine for a violation of any traffic law, ordinance, rule, or regulation based on evidence captured by an automated traffic enforcement system, unless the imposition of civil fines has been authorized by the voters.

Proposed law authorizes any local parish authority or local municipal authority that has imposed such civil fines prior to July 1, 2017 to continue to do so until July 1, 2017, without an election.

(Adds R.S. 32:44)