

RÉSUMÉ DIGEST

ACT 107 (SB 99)

2025 Regular Session

Cathey

Existing law provides that malfeasance in office is committed when any public officer or public employee intentionally performs any duty in an unlawful manner.

New law retains existing law and adds that violating either existing law or new law provisions pertaining to automated speed enforcement devices constitutes malfeasance in office.

New law provides definitions for "automated speed enforcement device", "mobile speed camera", and "red light camera".

Existing law provides that citations will not be issued using unmanned automated speed enforcement devices for speeding if the driver is not exceeding the posted speed limit prior to the school zone and if there are no signs posted at both the entrance and exit of the school zone.

New law retains existing law and provides that automated speed enforcement devices or mobile speed cameras will be only used in school zones posted in accordance with new law.

New law applies existing law to automated speed enforcement devices. New law also provides that local municipal and local parish authorities cannot use certain evidence to impose or collect any civil or criminal fine, fee, or penalty unless new law signage requirements are complied with.

New law provides that the provisions of new law do not apply to a governing authority of a municipality with a populations of less than 16,000 and more than 15,000 within a parish with a population of less than 90,000 and more than 70,000 according to the latest federal decennial census.

Prior law provided that revenue generated within Orleans Parish outside of a school zone will only be used for the purposes of stormwater drainage infrastructure, maintenance, and improvements.

New law deletes prior law.

Prior law provided that revenue generated as a result of electronic enforcement devices outside of a school zone will only be used for public safety purposes.

New law deletes prior law.

Existing law provides that any jurisdiction that submits a local match waiver for capital outlay will disclose the amount of revenue collected from handheld traffic cameras. Existing law also provides that the failure to disclose the required information will result in the local match waiver being revoked subject to certain exceptions.

New law retains existing law but changes the applicability from handheld traffic cameras to electronic enforcement devices.

Existing law provides that certain speed enforcement devices can only be used in certain locations and instances.

New law retains existing law but limits the use of certain speed enforcement devices to school zones.

New law provides that at the entrance to a school zone, there must be a painted a 2 ft. wide yellow stripe completely across the roadway with "Entering School Zone" painted in 12 in. white lettering visible therein.

New law provides that 200 ft. in front of the entrance of a school zone, there must be a painted a 2 ft. wide yellow stripe completely across the roadway with "School Zone Ahead" painted in 12 in. white lettering visible therein.

New law provides that local municipal or local parish authorities must post signs notifying drivers that automated speed enforcement devices are in use within 200 ft. of a school zone.

Prior law provided that criminal fines or fees could not be imposed as a result of using handheld or manned devices.

New law provides that criminal fines or fees cannot be imposed as a result of using automated speed enforcement devices or mobile speed cameras and removes prior law reference to "handheld or manned devices".

New law provides that the use of handheld, manned, or unmanned automated speed enforcement devices or mobile speed cameras that can be mounted in a vehicle or deployed at various locations to monitor and record the speed of passing traffic for the purpose of issuing a citation by mail that is intentionally inconsistent with new law is punishable as provided in other existing law.

Existing law provides that local municipal authorities and local parish authorities that install or utilize automated speed enforcement devices, red light cameras, or mobile speed cameras will establish an administrative hearing process for motorist to appeal alleged violations.

New law retains existing law and provides that the administrative hearing process or judicial review of appealed violations will be conducted at no cost to the vehicle's owner. New law further provides that mailed citations for speeding captured by automated speed enforcement devices in school zones must include a self-addressed stamped envelope, a QR code, or other internet link for vehicle owners to access the certification without a fee.

New law provides that citations issued through the use of automated speed enforcement devices, red light cameras, or mobile speed cameras that become final delinquent debts will not be referred to the office of debt recovery within the Dept. of Revenue.

New law repeals prior law relative to the use of photographic or video images collected by a red light camera, imposition of certain civil or criminal fines, fees, or penalties, proceedings relative thereto, and certain definitions.

Effective August 1, 2025.

(Amends R.S. 14:134(A)(2) and R.S. 32:43(A)(3), 45(A), (B)(1), and (C), 46(C) and (D), 47(A)(intro para) and 47(A)(2) and (4) and (B), 48(B)(4)(e), and 49; adds R.S. 32:1(111), (112), and (113), 43(A)(4), 46(E), 47(A)(5), (6), (7), and (C), and 48(B)(9) and (10); repeals R.S. 32:44(B) and (C))