Regular Session, 2014

ACT No. 439

HOUSE BILL NO. 1258   (Substitute for House Bill No. 220 by Representative Thibaut)

BY REPRESENTATIVE THIBAUT

1   AN ACT

2   To amend and reenact R.S. 32:295.4, relative to motor vehicle inspection; to provide

3   guidelines for motor vehicle inspection checkpoints by law enforcement agencies;

4   to provide for the location of checkpoints; and to provide for related matters.

5   Be it enacted by the Legislature of Louisiana:

6   Section 1. R.S. 32:295.4 is hereby amended and reenacted to read as follows:

7   §295.4. Guidelines for seat belt, motor vehicle inspection, and motor vehicle

8   liability security checkpoints; law enforcement agencies

9   All law enforcement agencies involved in traffic enforcement shall establish

10   guidelines for the operation of seat belt checkpoints, motor vehicle inspection

11   checkpoints, and or proof of compulsory motor vehicle liability security checkpoints.

12   Such guidelines shall include but not be limited to the following provisions:

13   (1) The location, time, and duration for seat belt, motor vehicle inspection,

14   and or compulsory motor vehicle liability security checkpoints shall be established

15   in written form by supervisory or other administrative personnel of the law

16   enforcement agency rather than the field officers implementing the checkpoint.

17   (2) For purposes of motor vehicle inspections, the location of the checkpoint

18   shall not be less than five hundred feet from an intersection between a state and

19   federal highway.

20   (2) (3) Provision for advance warning to the approaching motorists with

21   signs, flares, and other indications to warn motorists of an impending stop and to

22   provide indication of its official nature as a police checkpoint.

1   ~~(3)~~ (4) Provisions to ensure detention of motorists for a minimal length of

2   time.

3   ~~(4)~~ (5) The use of ~~a~~ systematic, nonrandom criteria for stopping motorists.

_____
SPEAKER OF THE HOUSE OF REPRESENTATIVES

_____
PRESIDENT OF THE SENATE

_____
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored
are additions.