

Regular Session, 2011

HOUSE BILL NO. 278

BY REPRESENTATIVE MONICA

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

MTR VEHICLE/TRAILERS: Requires trailers with a certain gross weight capacity to be equipped with a safety device

1 AN ACT

2 To amend and reenact R.S. 32:384(D) and (E)(1)(introductory paragraph) and to enact R.S.  
3 32:384(E)(1)(d), relative to trailers and towed vehicles; to require trailers with a  
4 certain gross weight capacity to be equipped with a safety device; to provide for  
5 applicability; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 32:384(D) and (E)(1)(introductory paragraph) is hereby amended and  
8 reenacted and R.S. 32:384(E)(1)(d) is hereby enacted to read as follows:

9 §384. Trailers and towed vehicles

10 \* \* \*

11 D.(1) Every trailer and semitrailer with a loaded gross weight capacity of up  
12 to six thousand pounds shall be equipped with safety chains or other safety device  
13 approved in accordance with Subsection E of this Section. The safety chains or other  
14 approved safety device shall be securely attached to the towing vehicle when the  
15 trailer or semitrailer is in motion and shall be of sufficient strength to hold the trailer  
16 behind the towing vehicle in case the connection between the two vehicles detaches.

17 (2) After January 1, 2012, the owner or operator of every trailer or  
18 semitrailer with a loaded gross weight capacity of up to ten thousand pounds shall  
19 equip his trailer or semitrailer with a safety device, approved in accordance with  
20 Subsection E of this Section, prior to registering the trailer or semitrailer for the first

1 time only. The approved safety device shall be securely attached to the towing  
2 vehicle when the trailer is in motion on a public road or highway and shall be of  
3 sufficient strength to hold the trailer behind the towing vehicle in case the connection  
4 between the two vehicles detaches. This Subsection shall not be applicable to trailers  
5 or semitrailers when the trailer is not in motion on a public road or highway and is  
6 used solely for farm purposes. This Subsection shall only apply to trailers or  
7 semitrailers registered in Louisiana for the first time after January 1, 2012. This  
8 Subsection shall not apply to trailers or semitrailers registered pursuant to transfers  
9 after January 1, 2012.

10 (3) After January 1, 2012, no private entity shall sell or offer for sale any  
11 newly manufactured trailer or semitrailer unless such trailer or semitrailer is  
12 equipped with a safety device approved in accordance with Subsection E of this  
13 Section.

14 E.(1) The Department of Public Safety and Corrections, office of state  
15 police, shall have the authority to approve safety devices, ~~other than safety chains~~  
16 excluding safety chains, to be used when towing trailers or semitrailers. The  
17 approval of a safety device shall be in writing. Any such device shall be inspected  
18 by the office of state police before written approval is given. The following criteria  
19 shall be considered in making the determination of whether or not to approve such  
20 safety device, ~~as an alternative to safety chains~~ excluding safety chains:

21 \* \* \*

22 (d) The safety device shall have a stamp or a permanent label attached to the  
23 safety device and be applicable to the size of the load capacity of the trailer.

24 \* \* \*

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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)]

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Monica

HB No. 278

**Abstract:** Requires trailers and semitrailers with a certain gross weight capacity newly registered in La. after Jan. 1, 2012, to be equipped with a safety device.

Present law requires every trailer and semitrailer with a loaded gross weight capacity of up to 6,000 pounds to be equipped with safety chains or other safety device approved by DPS&C.

Proposed law retains present law for trailers and semitrailers currently registered.

Proposed law requires all semitrailers and trailers to a loaded gross weight capacity of up to 10,000 pounds newly registered after Jan. 1, 2012, to be equipped with an approved safety device.

Proposed law provides that after Jan. 1, 2012, no private entity shall sell or offer for sale any newly manufactured trailer or semitrailer unless such trailer or semitrailer is equipped with an approved safety device.

Present law allows DPS&C, office of state police, to approve safety devices other than safety chains to be used when towing trailers or semitrailers. Requires the approval by the office of state police of the safety device to be in writing.

Proposed law allows DPS&C, office of state police, to approve safety devices excluding safety chains to be used when towing trailers or semitrailers. Requires the approval by the office of state police of the safety device to be in writing.

Proposed law provides that any safety device approved by DPS&C, office of state police, will have a stamp or a permanent label attached to the safety device and be applicable to the size of the load capacity of the trailer.

Proposed law provides that the provisions of proposed law shall not apply to trailers when the trailer is not in motion on a public road or highway and is used solely for farm purposes.

(Amends R.S. 32:384(D) and (E)(1)(intro. para.); Adds R.S. 32:384(E)(1)(d))