

Regular Session, 2011

SENATE BILL NO. 75

BY SENATOR MARTINY AND REPRESENTATIVE ARNOLD

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

SAFETY REGULATIONS. Restricts local governments from using electronic vehicle speed enforcement systems. (gov sig)

AN ACT

To enact R.S. 32:43, relative to traffic violations; to restrict local governing authorities of any parish or municipality use of any electronic vehicle speed enforcement system to enforce compliance with certain traffic laws; to regulate the imposition or collection of fees; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 32:43 is hereby enacted to read as follows:

§43. Electronic Vehicle Speed Enforcement System; prohibition

A. Local municipal authorities or local parish authorities shall not adopt, enact, or enforce any ordinance authorizing the use of any electronic vehicle speed enforcement system to enforce compliance with traffic laws, ordinances, rules or regulations on any street, road, or highway within its jurisdiction.

B. Local municipal authorities or local parish authorities shall not install or use or contract with a private vendor to install or use electronic vehicle speed enforcement systems to enforce traffic laws, ordinances, rules, or regulations on any public street, road, or highway within its jurisdiction.

C. Effective January 1, 2012, local municipal authorities or local parish

authorities shall not impose or collect any civil or criminal fine, fee, or penalty as a result of an image produced by an electronic vehicle speed enforcement system on or after that date.

D. For the purposes of this Section, the term "electronic vehicle speed enforcement system", means a camera or optical device installed to work in conjunction with radar speed detection equipment and designed to record images that depict the license plate or other identifying feature of a motor vehicle that is not operated in compliance with instruction of a traffic control signal or a posted traffic sign.

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Michelle Ducharme.

DIGEST

Proposed law prohibits local municipal authorities or local parish authorities from using, authorizing, or enforcing the use of, or installing electronic vehicle speed enforcement systems to enforce traffic regulations.

Proposed law, effective January 1, 2012, prevents local municipal authorities or local parish authorities from imposing or collecting any civil or criminal fine, fee, or penalty as a result of an image produced by an electronic vehicle speed enforcement system.

Proposed law defines "electronic vehicle speed enforcement system" to mean a camera or optical device installed to work in conjunction with radar speed detection equipment and designed to record images that depict the license plate or other identifying feature of a motor vehicle that is not operated in compliance with instruction of a traffic control signal or a posted traffic sign.

Proposed law requires local municipal authorities or local parish authorities currently using an electronic vehicle speed enforcement system to discontinue such use by Jan. 1, 2012.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 32:43)