

Regular Session, 2012

HOUSE BILL NO. 713

BY REPRESENTATIVE HUNTER

LAW ENFORCEMENT: Provides with respect to law enforcement checkpoints

1 AN ACT

2 To amend and reenact R.S. 32:295.4(introductory paragraph) and to enact R.S. 32:295.4(5),
3 relative to law enforcement checkpoints; to require advance notice to the public of
4 seat belt and insurance checkpoints and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 32:295.4(introductory paragraph) is hereby amended and R.S.
7 32:295.4(5) is hereby enacted to read as follows:

8 §295.4. Guidelines for seat belt, motor vehicle inspection sticker, and motor vehicle
9 liability security checkpoints; law enforcement agencies; advance notice

10 All law enforcement agencies involved in traffic enforcement shall establish
11 guidelines for the operation of seat belt ~~checkpoints~~ ,motor vehicle inspection
12 sticker, and proof of compulsory motor vehicle liability security checkpoints. Such
13 guidelines shall include but not be limited to the following provisions:

14 (1) The location, time, and duration for seat belt and compulsory motor
15 vehicle liability security checkpoints shall be established in written form by
16 supervisory or other administrative personnel of the law enforcement agency rather
17 than the field officers implementing the checkpoint.

18 (2) Provision for advance warning to the approaching motorists with signs,
19 flares, and other indications to warn motorists of an impending stop and to provide
20 indication of its official nature as a police checkpoint.

- 1 (3) Provisions to ensure detention of motorists for a minimal length of time.
 - 2 (4) The use of a systematic, nonrandom criteria for stopping motorists.
 - 3 (5) Provisions for the advance notice to the public by radio or television
 - 4 broadcasts and newspapers.
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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)]

Hunter

HB No. 713

Abstract: Requires advance notice to the public of seat belt, motor vehicle inspection sticker, and insurance checkpoints.

Present law requires all law enforcement agencies involved in traffic enforcement shall establish guidelines for the operation of seat belt and proof of compulsory motor vehicle liability security checkpoints. The guidelines shall include but not be limited to the following provisions:

- (1) The location, time, and duration for seat belt and compulsory motor vehicle liability security checkpoints shall be established in written form by supervisory or other administrative personnel of the law enforcement agency rather than the field officers implementing the checkpoint.
- (2) Provisions for advance warning to the approaching motorists with signs, flares, and other indications to warn motorists of an impending stop and to provide indication of its official nature as a police checkpoint.
- (3) Provisions to ensure detention of motorists for a minimal length of time.
- (4) The use of a systematic, nonrandom criteria for stopping motorists.

Proposed law adds motor vehicle inspection sticker checkpoint to the present law and further requires advance notice to the public by radio or television and newspaper.

(Amends R.S. 32:295.4(intro.para.); Adds R.S. 32:295.4(5))