
The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Dawn Romero Watson.

DIGEST

Proposed law prohibits the governing authority of a local governmental subdivision from imposing a civil fine for violation of any traffic law, ordinance, rule, or regulation captured by an automated traffic enforcement system, unless the local governmental subdivision has an established adjudicatory and appeal process for such matters.

Proposed law requires that the defendant be made aware of the adjudicatory and appeal process and his right to confront witnesses against him in the same correspondence that notifies him of the alleged violation. Requires that the adjudicatory process include a trial wherein the burden of proof is on the local governmental subdivision to prove the violation and that the defendant be allowed the opportunity to confront the witnesses who issued the ticket or summons for the violation if he chooses to do so.

Proposed law provides that any governing authority which, prior to January 1, 2013, imposed civil fines for violations of traffic laws, ordinances, rules, or regulations captured by an automated traffic enforcement system cease collecting civil fines for such violations until an adjudicatory and appeal process as required in proposed law is established.

Proposed law defines "automated traffic enforcement system" as a camera or optical device erected alongside a public road, street, or highway, or at a traffic light intersection and installed to work in conjunction with radar speed detection equipment, and designed to photographically record images of the license plate or other identifying features of a motor vehicle that is not operated in compliance with instruction of a posted traffic sign. Further provides that it shall also mean a camera or optical device that is attached to the outside of a vehicle parked along a public road, street, or highway and installed to work in conjunction with any radar speed detection equipment.

Effective January 1, 2013.

(Adds R.S. 32:241)