

SENATE BILL NO. 376

BY SENATOR GARY SMITH

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AN ACT

To amend and reenact R.S. 32:1525(A)(1) and (3), relative to motor carrier violations; to provide for notice of a violation of provisions regarding the transportation of hazardous waste; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 32:1525(A)(1) and (3) are hereby amended and reenacted to read as follows:

§1525. Motor carrier violations; enforcement procedure; payment and collection of penalties; administrative review; driver's license suspensions

A.(1) Whenever any carrier, common carrier, contract carrier, private carrier, transport vehicle, or driver is found in violation of any provision of this Chapter or any provision of the Federal Motor Carrier Safety Regulations, the Department of Public Safety and Corrections, office of state police, shall send the responsible party a "Notice of Violation, Proposed Finding and Proposed Civil Penalty", hereafter referred to as a "notice of violation", within thirty calendar days of the violation; **however, whenever an incident involves hazardous materials and includes evacuations, fatalities, or serious injuries, the office of state police shall send the responsible party a "notice of violation" within sixty calendar days of the violation.**

* * *

(3) If the Department of Public Safety and Corrections, office of state police, fails to issue the notice of violation to the responsible party ~~within thirty calendar days of the violation~~ in accordance with the provisions of **Subsection A of** this Section, the violation shall be dismissed. However, the office of state police shall be granted an additional sixty calendar days to send the responsible party a notice of violation in accordance with the provisions of **Subsection A of** this Section if the

1 office of state police experiences a data system failure caused by either an act of God
2 or an intentional act of sabotage.

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PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____