
HOUSE COMMITTEE AMENDMENTS

2016 Regular Session

Substitute for Original House Bill No. 1132 by Representative Davis as proposed by the House Committee on Transportation, Highways, and Public Works

This document reflects the content of a substitute bill but is not in a bill form; page numbers in this document DO NOT correspond to page numbers in the substitute bill itself.

To enact R.S. 32:57.3, relative to fines imposed for violations of traffic laws; to increase fines for certain moving violations when children are present in the vehicle; to provide for multiple offenses; to provide for increased seat belt fines; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 32:57.3 is hereby enacted to read as follows:

§57.3. Penalties; children under the age of fifteen present in motor vehicle; moving violations

A. Any person found guilty of a moving violation while a child under the age of fifteen is present in the vehicle shall be subject to a fine triple the amount of the applicable penalty for such moving violation.

B. Any person found guilty of a subsequent moving violation while a child under the age of fifteen is present in the vehicle, shall be subject to a fine that is quadruple the amount of the applicable penalty for the moving violation and the violator shall complete thirty hours of court approved community service.

C. (1) Any person found guilty of a moving violation and issued an increased fine pursuant to this Section, who has a child under the age of thirteen present in the vehicle, who is not properly restrained as provided for in R.S. 32:295, shall be subject to triple the applicable fine as provided for in R.S. 32:295.

(2) Any person found guilty of a moving violation and issued an increased fine pursuant to this Section, who has a child thirteen or fourteen years of age present in the vehicle, who is not wearing a seatbelt, shall be subject to triple the applicable fine as provided for in R.S. 32:295.1.

D. For purposes of this Section, moving violations shall include the following:

- (1) Careless operation pursuant to R.S. 32:58.
- (2) Maximum speed limit pursuant to R.S. 32:61.
- (3) School zones; no passing zones pursuant to R.S. 32:77.1.
- (4) Stop signs and yield signs pursuant to R.S. 32:123.
- (5) Traffic control signals pursuant to R.S. 32:232.
- (6) Use of certain wireless telecommunications devices for text messaging and social networking pursuant to R.S. 32:300.5.
- (7) Operating a vehicle under the influence of alcoholic beverages or illegal substance or controlled dangerous substances pursuant to R.S. 14:98.

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)]

HB Draft

2016 Regular Session

Abstract: Imposes additional fines and penalties for certain moving violations when a child under the age of fifteen is present in the vehicle at the time the moving violation occurs.

Present law imposes fines for moving violations related to careless operation, maximum speed limit, school zones, stop and yield signs, traffic control signals, use of wireless communication devices, and operating a vehicle under the influence of alcohol, illegal substances, or controlled dangerous substances

Proposed law retains present law and imposes an increased fine for such moving violations when a child under the age of 15 is present in the vehicle at the time of the violation.

Proposed law retains present law and imposes an increased fine and community service for multiple offenses of any of the moving violations cited in proposed law when a child under the age of 15 is present in the vehicle at the time of the violation.

Proposed law imposes a fine that is triple the applicable fine as provided in present law for a person who is found guilty of a moving violation and issued a fine pursuant to this Section when a child under the age of 13 is present in the vehicle and is not properly restrained as provided for in present law.

Proposed law imposes a fine that is triple the applicable fine as provided in present law for a person who is found guilty of a moving violation and issued a fine pursuant to this Section when a child ages 13 or 14 is present in the vehicle and is not wearing a seatbelt as provided for in present law.

(Adds R.S. 32:57.3)