

Regular Session, 2010

HOUSE BILL NO. 880

BY REPRESENTATIVES WHITE, DOVE, HARRISON, AND ST. GERMAIN AND  
SENATORS N. GAUTREAUX AND WALSWORTH

1 AN ACT

2 To enact R.S. 34:851.14.1, relative to safety zones and security zones; to provide for  
3 definitions; to prohibit violating restrictions of an established safety zone or security  
4 zone; to provide for penalties; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 34:851.14.1 is hereby enacted to read as follows:

7 §851.14.1. Safety and security zones

8 A. For the purposes of this Section, the following terms shall have the  
9 following meanings:

10 (1) A "safety zone" shall mean a zone established for the protection of any  
11 vessel, structure, waters, or shore area from a safety or environmental hazard and  
12 shall include a water area, shore area, or water and shore area to which, for safety or  
13 environmental purposes, access is limited to authorized persons, vehicles, or vessels.  
14 The zone may be stationary and described by fixed limits, or it may be described as  
15 a zone around a vessel in motion.

16 (2) A "security zone" shall mean a zone established for national security  
17 interests and shall include all areas of land or water which are so designated by the  
18 captain of the port for such time as he deems necessary to prevent damages or injury  
19 to any vessel or waterfront facility, to safeguard ports, harbors, territories, or waters  
20 of the state or to secure the observance of the rights and obligations of the state.

21 B. No person shall violate any restriction of a safety zone or security zone  
22 established pursuant to rules and regulations promulgated by the United States Coast  
23 Guard under authority granted by the Ports and Waterways Safety Act, 33 U.S.C.  
24 1231, or the Magnuson Act, 50 U.S.C. 191.

1            C.(1) Whoever knowingly violates or should have known he violated the  
2            restriction of a safety zone shall be subject to the penalty provisions of a class two  
3            violation as specified in R.S. 56:32.

4            (2) Whoever knowingly violates or should have known he violated the  
5            restriction of a security zone shall be fined not more than nine hundred fifty dollars  
6            or imprisoned for not more than one hundred twenty days, or both.

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

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_