

2016 Regular Session

SENATE BILL NO. 357

BY SENATOR CARTER

TRAFFIC. Requires posting of red light camera locations. (8/1/16)

1 AN ACT

2 To enact R.S. 32:44, relative to red light cameras; to require notification of red light camera
3 locations; to provide for definitions; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. R.S. 32:44 is hereby enacted to read as follows:

6 **§44. Required notification for red light cameras**

7 **A. Local municipal authorities or local parish authorities shall post signs**
8 **located within five hundred feet of and in visible manner in the direction of**
9 **travel that a red light camera is present.**

10 **B.(1) Failure of a municipal or parish authority to comply with**
11 **Subsection A of this Section shall prohibit the use of any photographic or video**
12 **images collected by the red light camera to impose or collect any civil or**
13 **criminal fine, fee, or penalty by or on behalf of the municipal or parish**
14 **authority.**

15 **(2) In any proceeding to collect a civil or criminal fine, fee, or penalty by**
16 **or on behalf of a municipal or parish authority, a rebuttable presumption shall**
17 **exist that signs were posted in accordance with Subsection A of this Section.**

1 **C. For the purposes of this Section, "red light camera" means a device**
 2 **installed at an intersection designed to collect photographic or video evidence**
 3 **of alleged traffic violations by recording images that depict the license plate or**
 4 **other identifying feature of a motor vehicle that is not operated in compliance**
 5 **with instruction of a traffic control signal or a posted traffic sign.**

The original instrument was prepared by Ashley Menou. The following digest, which does not constitute a part of the legislative instrument, was prepared by Ann S. Brown.

DIGEST

SB 357 Reengrossed

2016 Regular Session

Carter

Present law gives local governing authorities the power to enact ordinances regulating the movement of traffic and other such similar rules and regulations.

Proposed law requires local municipal or local parish governing authority to install a sign indicating that a red light camera is present when red light cameras are installed. Requires the sign to be visible and within 500 feet of the signal in the direction of travel.

Proposed law provides that the failure of a municipal or parish authority to comply with proposed law shall prohibit the use of any photographic or video images collected by the red light camera to impose or collect any civil or criminal fine, fee, or penalty by or on behalf of the municipal or parish authority.

Proposed law provides that a rebuttable presumption exists that signs were posted as required by proposed law in any proceeding to collect a civil or criminal fine, fee, or penalty by or on behalf of a municipal or parish authority.

Proposed law defines a red light camera as a device installed at an intersection designed to collect photographic or video evidence of alleged traffic violations by recording images that depict the license plate or other identifying features of a motor vehicle being operated out of compliance with instruction of a traffic control signal or a posted traffic sign.

Effective August 1, 2016.

(Adds R.S. 32:44)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Transportation, Highways, and Public Works to the original bill

1. Adds that sign must be installed within twenty feet.
2. Provides that a rebuttable presumption exists that signs were posted as required by proposed law in any proceeding to collect a civil or criminal fine, fee, or penalty by or on behalf of a municipal or parish authority.

Senate Floor Amendments to engrossed bill

1. Changes the location of the sign from 20 feet to 500 feet.
2. Changes the location of the sign from each direction to in the direction of travel.