

Regular Session, 2010

SENATE BILL NO. 468

BY SENATOR LONG

WEIGHTS/MEASURES. Provides that payment for violations issued by Weights and Standards Mobile Police Officers and Weights and Standards Stationary Scale Police may be paid by credit card.(7/01/10)

1 AN ACT

2 To amend and reenact R.S. 32:389(C)(2), to provide relative to enforcement, payment and

3 collection; to provide for payment of violations by credit card; and to provide for

4 related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 32:389(C)(2) is hereby amended and reenacted to read as follows:

7 §389. Weights and standards police; enforcement procedure; payment and

8 collection procedures; administrative review

9 * * *

10 C. * * *

11 (2) Upon issuance of the violation ticket, an owner or driver who is a resident

12 of Louisiana or who has a domicile in Louisiana shall receive notification from the

13 weights and standards stationary scale police officer **or the weights and standards**

14 **mobile police officer** that the penalty shall be paid within thirty days of issuance of

15 the violation ticket or that the owner or driver may request an agency review of the

16 penalty within thirty days of issuance of the violation ticket. An owner or driver who

17 is not a resident of Louisiana or who does not have a domicile in Louisiana shall

1 receive notification from the weights and standards stationary scale police officer **or**
2 **the weights and standards mobile police officer** that the penalty shall either be
3 paid at the time the violation ticket is issued or he shall post a bond equal to the
4 amount of the penalty, which bond shall be forfeited if, within thirty days of issuance
5 of the violation ticket, the penalty has not been paid or an agency review has not
6 been requested. The owner or driver shall pay the penalty assessed with certified
7 check, cashier's check, money order, or ~~department-approved~~ credit card **approved**
8 **by the department or the office of state police**. The secretary **or the office of state**
9 **police** may establish credit accounts for violators, if each violator provides the
10 department **or the office of state police** a cash deposit in the minimum amount of
11 five thousand dollars or any amount in excess thereof fixed by the secretary **or the**
12 **office of state police** to guarantee payment of said account. The department **or the**
13 **office of state police** shall not detain or impound any vehicle issued a violation
14 ticket for any violation of the provisions of R.S. 32:380 through 387 prior to the final
15 disposition of the violation ticket if the owner or driver is a resident of Louisiana or
16 has a domicile in Louisiana, or has paid the penalty or posted the bond in accordance
17 with this Section. For purposes of this Section, "final disposition" shall be defined
18 as a final conviction, not capable of appeal or review.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Sharon F. Lyles.

DIGEST

Present law provides that an owner or driver who is a resident of or is domiciled in Louisiana shall receive notification from the weights and standards stationary scale police officer that the penalty shall be paid within thirty days.

Present law provides that an owner or driver who is not a resident of Louisiana shall receive notice that the penalty shall either be paid when the violation ticket is issued or shall post bond equal to the amount of the penalty.

Present law provides that an owner or driver issued a violation ticket by a weights and standards stationary police officer shall pay the penalty assessed with certified check, cashier's check, money order, or department-approved credit card.

Proposed law makes provisions of present law applicable to violation tickets issued by the office of state police and provides for payment of violation tickets issued by the office of state police by credit card approved by the department or the office of state police.

Effective July 1, 2010.

(Amends R.S. 32:389(C)(2))