

Regular Session, 2014

SENATE BILL NO. 644

BY SENATOR WARD

ROADS/HIGHWAYS. Provides relative to disposition of traffic citations on state highways.
(8/1/14)

1 AN ACT

2 To amend and reenact R.S. 32:398.2(A) and (B), relative to motor vehicles; to provide with
3 respect to the disposition of traffic citations issued on certain highways in the state;
4 to provide for exceptions; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 32:398.2(A) and (B) are hereby amended and reenacted to read as
7 follows:

8 §398.2. Disposition of traffic citations; **citations on a highway in the state;**
9 unlawful acts; records

10 **A.(1) Except as provided for in Paragraph (2) of this Subsection,** each
11 traffic enforcement officer upon issuing a traffic citation to an alleged violator of any
12 provision of the motor vehicle laws of this state or of any traffic ordinance of any
13 city or town **on a highway in the state** shall deposit the original citation or a copy
14 of such traffic citation with a **state district** court having jurisdiction over the alleged
15 offense ~~or with the appropriate traffic violations bureau.~~ **As used in this**
16 **Subsection, the phrase "highway in the state" means a highway in this state**
17 **which is in the system of state highways created and established in R.S. 48:191**

1 and all federal highways and interstates.

2 (2) In the municipalities of Alexandria, Baton Rouge, Bossier City,
3 Grand Isle, Kenner, Lafayette, Lake Charles, Metairie, Monroe, New Orleans,
4 and Shreveport, or if the citation is issued for a violation not on a highway in the
5 state, a traffic enforcement officer shall deposit the original citation or a copy
6 of such traffic citation with a court having jurisdiction over the alleged offense
7 or with the appropriate traffic violations bureau. However, a citation for a
8 violation of R.S. 32:80(A) shall be deposited only with a court and not with a traffic
9 violations bureau.

10 B. Upon the deposit of the original citation or a copy of the traffic citation as
11 required by Subsection A of this Section either with a court having jurisdiction
12 over the alleged offense or with the traffic violations bureau as set forth herein, the
13 original citation or copy of such traffic citation shall be disposed of only by trial in
14 the court of proper jurisdiction or any other official action by a judge of the court,
15 including forfeiture of the bail, or by the deposit of sufficient bail with the traffic
16 violations bureau or payment of a fine to said bureau by the person to whom such
17 traffic citation has been issued. However, a citation or its copy alleging a violation
18 of R.S. 32:80(A) shall be disposed of only by trial or acceptance of a plea in open
19 court.

20 * * *

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

DIGEST

Ward (SB 644)

Present law requires each traffic enforcement officer to deposit the original citation or a copy of each traffic citation with a "court" having jurisdiction over the alleged offense or with the appropriate "traffic violations bureau". However, a citation for a violation of R.S. 32:80(A) must be deposited only with a court and not with a traffic violations bureau.

Proposed law deletes the authorization in present law to deposit the citation with a "court" or with a "traffic violations bureau" if the citation is issued to a violator on a "highway in the state" and instead requires deposit specifically in a state district court. "Highway in the state" is defined as a highway in this state which is in the system of state highways created and established in R.S. 48:191 and all federal highways and interstates.

However, the provision in present law requiring deposit with a "court" or with a "traffic violations bureau" is retained for the municipalities of Alexandria, Baton Rouge, Bossier City, Grand Isle, Kenner, Lafayette, Lake Charles, Metairie, Monroe, New Orleans, and Shreveport, or if the citation is issued for a violation not on a "highway in the state" as defined in the proposed law.

Effective August 1, 2014.

(Amends R.S. 32:398.2(A) and (B))