

Regular Session, 2012

SENATE BILL NO. 85

BY SENATOR MARTINY

TRAFFIC. Requires voter approval before local governing authorities may impose civil fines for traffic violations captured by automatic traffic enforcement systems. (1/1/13)

1 AN ACT
2 To enact Subpart I-1 of Part IV of Chapter 1 of Title 32 of the Louisiana Revised Statutes
3 of 1950, to be comprised of R.S. 32:241, relative to traffic violations; to require voter
4 approval prior to the imposition of civil fines for violations captured by automated
5 traffic enforcement systems; to provide relative to fines imposed prior to the
6 effective date of this Act; to define terms; to provide for an effective date; and to
7 provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. Subpart I-1 of Part IV of Chapter 1 of Title 32 of the Louisiana Revised
10 Statutes of 1950, comprised of R.S. 32:241, is hereby enacted to read as follows:

11 **SUBPART I-1. AUTOMATED TRAFFIC ENFORCEMENT SYSTEMS**
12 **§241. Traffic violations; civil fines; automated traffic enforcement systems**
13 **A. No governing authority of a local governmental subdivision may**
14 **impose a civil fine for a violation of any traffic law, ordinance, rule, or**
15 **regulation captured by an automated traffic enforcement system unless the**
16 **imposition of such civil fines has been authorized by a majority of the voters of**
17 **the local governmental subdivision voting on a proposition authorizing such**

1 fin es at an election held for this purpose in accordance with the Louisiana
2 Election Code.

3 B. Any governing authority which, prior to the effective date of this
4 Section, has imposed civil fines for violations of traffic laws, ordinances, rules,
5 or regulations captured by an automated traffic enforcement system shall cease
6 collecting civil fines for such violations until the imposition of such civil fines
7 has been authorized as provided in Subsection A of this Section.

8 C. For purposes of this Section, the term "automated traffic
9 enforcement system" means a camera or optical device erected alongside a
10 public road, street, or highway, or at a traffic light intersection and installed to
11 work in conjunction with a traffic control signal or radar speed detection
12 equipment, or both, and designed to photographically record images of the
13 license plate or other identifying feature of a motor vehicle that is not operated
14 in compliance with instruction of a traffic control signal or a posted traffic sign.
15 The term shall also mean a camera or optical device that is attached to the
16 outside of a vehicle parked along a public road, street, or highway and installed
17 to work in conjunction with a traffic control signal or radar speed detection
18 equipment, or both.

19 Section 2. This Act shall become effective on January 1, 2013.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Dawn Romero Watson.

DIGEST

Proposed law prohibits the governing authority of a local governmental subdivision from imposing a civil fine for violation of any traffic law, ordinance, rule, or regulation captured by an automated traffic enforcement system, unless the imposition of the civil fines has been authorized by a majority of the voters of the local governmental subdivision.

Proposed law requires any governing authority that has imposed civil fines prior to enactment of proposed law to cease collecting civil fines until approved as provided in proposed law.

Effective January 1, 2013.

(Adds R.S. 32:241)