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

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SB 382 Original                                  DIGEST                                  2018 Regular Session                                  Hewitt

Present law exempts occupants of passenger cars or operators with a physically or mentally disabling condition that would prevent appropriate restraint in a safety belt, as certified by a physician, from wearing safety belts and provides for issuance of a special tag to indicate such exemption.

Present law provides penalties for improper use of a special tag or certification by a physician for issuance of a special tag as follows:

- (1) False representation by a person to obtain a special tag:
  - (a) 1st offense - \$100 not to exceed \$250, or up to 30 days imprisonment, or both.
  - (b) 2nd and subsequent offenses - \$250 not to exceed \$500, or up to 90 days imprisonment, or both.
  
- (2) Use of the special tag by another person not transporting the owner of the tag:
  - (a) 1st offense - \$50 not to exceed \$250, or up to 30 days imprisonment, or both.
  - (b) 2nd and subsequent offenses - \$100 not to exceed \$500, or up to 60 days imprisonment, or both.
  
- (3) Tag owner allowing use of the tag by another person not qualified for a tag:
  - (a) 1st offense - \$50 not to exceed \$250, or up to 30 days imprisonment, or both, and 6 months suspension of the tag.
  - (b) 2nd and subsequent offenses - \$250 not to exceed \$500, or up to 30 days imprisonment, or both, and one year suspension of the tag.
  
- (4) False certification by a physician of a person's impairment to obtain a tag:

\$1,000 or up to 90 days imprisonment.

Proposed law removes imprisonment penalties.

Effective August 1, 2018.

(Amends R.S. 32:295.1(D)(6), (7), (8), and (9))