

SENATE BILL NO. 129

BY SENATORS COLOMB, CORTEZ, HEWITT, LONG, PRICE AND GARY SMITH
AND REPRESENTATIVES BAGNERIS, BERTHELOT, BILLIOT,
DAVIS, DUBUISSON, DWIGHT, EDMONDS, HILFERTY, HUVAL,
JACKSON, JENKINS, LARVADAIN, LYONS, MARCELLE,
NORTON, PUGH, SMITH, STAGNI AND WRIGHT

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

1 AN ACT

2 To amend and reenact R.S. 32:218, relative to pedestrians; to provide for the solicitation of
3 charitable contributions for charitable or civic nonprofit organizations by certain
4 pedestrians standing in a roadway; to provide relative to the regulation of charitable
5 solicitations on public roadways by a local municipal or parish authority; and to
6 provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 32:218 is hereby amended and reenacted to read as follows:

9 §218. Pedestrians soliciting rides or business

10 A. ~~No~~ **Subject to Subsection B of this Section, no** person shall stand on a
11 public roadway for the purpose of soliciting a ride, employment, or business from
12 the occupant of any vehicle.

13 B. **(1)** Subject to the permission of the ~~municipality or parish governing~~ **local**
14 **municipal or parish** authority in which the roadway is located, a member of a
15 professional firefighters association, **a police officer,** or other ~~nonprofit organization~~

1 **public safety officer** shall not be prohibited by this Section nor any other provision
2 of state law from standing on a public roadway for the purpose of soliciting
3 contributions, ~~as a member of such association,~~ on behalf of bona fide charitable **or**
4 **civic** organizations: **during daylight hours, if all of the following are satisfied:**

5 **(a) The charitable or civic organization complies with applicable local**
6 **government regulations. A local municipal or parish authority may enact or**
7 **enforce regulations that restrict, but shall not prohibit, the activity described**
8 **in this Subsection.**

9 **(b) The charitable or civic organization maintains at least five hundred**
10 **thousand dollars in liability insurance.**

11 **(c) The person is eighteen years of age or older.**

12 **(d) The person is wearing high-visibility safety apparel that meets**
13 **current American standards promulgated by the International Safety**
14 **Equipment Association.**

15 **(e) The portion of the roadway upon which the solicitation occurs is not**
16 **a work zone and is within an intersection where traffic control devices are**
17 **present.**

18 **(2) A local municipal or parish authority with jurisdiction over a**
19 **roadway upon which solicitation occurs as described in this Subsection shall not**
20 **be liable for any claim for damages arising out of the use of the roadway as**
21 **described in this Subsection.**

22 **(3) A person who violates this Subsection may be assessed a civil penalty.**

23 **(4) As used in this Subsection, "charitable or civic organization" means**
24 **a nonprofit organization that is qualified under Section 501(c)(3) or 501(c)(4)**
25 **of the Internal Revenue Code, 26 U.S.C. 501, or a veteran's organization that**
26 **has tax-exempt status under the Internal Revenue Code.**

27 **(5) A local municipal or parish authority that has enacted or is enforcing**
28 **regulations that are prohibited under this Subsection shall bring those**
29 **regulations into compliance with this Subsection no later than sixty days**
30 **following its effective date.**

1 C. This Section shall be known as the Rivers Lacrouts Charitable
2 Solicitation Act.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____