HLS 22RS-1375 ENGROSSED

2022 Regular Session

HOUSE BILL NO. 867

1

BY REPRESENTATIVE MOORE

HIGHWAYS: Provides relative to the designation of highway safety corridors by the Department of Transportation and Development

AN ACT

2 To amend and reenact R.S. 32:267(A)(2) and (E), to enact R.S. 32:267(A)(3) and (4), and 3 to repeal R.S. 32:57.4 and 267.1, relative to the designation of highway safety 4 corridors by the Department of Transportation and Development; to remove 5 references to electronic enforcement; to provide for penalties; to provide for 6 definitions; and to provide for related matters. 7 Be it enacted by the Legislature of Louisiana: Section 1. R.S. 32:267(A)(2) and (E) are hereby amended and reenacted and R.S. 8 9 32:267(A)(3) and (4) are hereby enacted to read as follows: 10 §267. Highway safety corridor 11 A. 12 13 (2) After review of all data and studies used in the establishment of a 14 highway safety corridor and the subsequent establishment of the highway safety 15 corridor, the secretary of the Department of Transportation and Development, the 16 superintendent of the Louisiana State Police, and the executive director of the 17 Louisiana Highway Safety Commission shall not be liable for any property damages, injuries, or deaths that may arise from any enforcement pursuant to R.S. 32:267.1 18 19 R.S. 32:267 in the highway safety corridor.

1	(3) "Highway safety corridor" means a special segment of a highway that has
2	been identified by data analysts and approved by a majority vote of the Safety
3	Corridor Advisory Group to be a high collision zone, especially for severe injuries
4	and fatal collisions. The primary cause of these crashes is driver behavior such as
5	speeding, aggressive driving, impairment, and distracted driving.
6	(4) "Highway safety corridor violation" means use of a highway safety
7	corridor in a manner not authorized by this Chapter or any regulation promulgated
8	pursuant to this Chapter.
9	* * *
10	E. Any person violating the provisions of this Chapter while on the portion
11	of a highway which is designated as a highway safety corridor shall be fined and
12	penalized as provided in R.S. 32:57(I) or 267.1.
13	* * *
14	Section 2. R.S. 32:57.4 and 267.1 are hereby repealed in their entirety.
15	Section 3. This Act shall become effective upon signature by the governor or, if not
16	signed by the governor, upon expiration of the time for bills to become law without signature
17	by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
18	this Act is vetoed by the governor and subsequently approved by the legislature, this Act
19	shall become effective on the day following such approval.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 867 Engrossed

2022 Regular Session

Moore

Abstract: Provides relative to the designation of highway safety corridors by the Department of Transportation and Development, provides for definitions, and removes references to electronic enforcement.

Present law authorizes the secretary of the Dept. of Transportation and Development (DOTD), the superintendent of the La. State Police (LSP), and the executive director of the La. Hwy. Safety Commission to establish a highway safety corridor program for critical infrastructure consisting of a portion of highways in the state highway system and interstate highway system that may be designated by the secretary of the DOTD as highway safety corridors to address highway safety problems through law enforcement, education, and safety enhancements.

Page 2 of 3

CODING: Words in struck through type are deletions from existing law; words underscored are additions.

<u>Proposed law</u> defines "highway safety corridor" as a special segment of a highway that has been identified by data analysts, and approved by a majority vote of the Safety Corridor Advisory Group, to be a high collision zone, especially for severe injuries and fatal collisions. Specifies that the primary cause of these crashes is driver behavior such as speeding, aggressive driving, impairment, and distracted driving.

<u>Proposed law</u> defines "highway safety corridor violation" as use of a highway safety corridor in a manner not authorized by <u>present law</u> or any regulation promulgated pursuant to <u>present law</u>.

<u>Present law</u> exempts the secretary of the DOTD, the superintendent of the LSP, and the executive director of the La. Hwy. Safety Commission from liability for any property damages, injuries, or deaths that may arise in the enforcement of <u>present law</u> after reviewing all data and studies for the establishment of the highway safety corridor.

<u>Proposed law</u> modifies <u>present law</u> by removing all references and effects of electronic enforcement found in <u>present law</u> (R.S. 32:57.4 and 267.1).

<u>Present law</u> provides for penalties, fines, and alternatives to citation for a violation of <u>present</u> law.

<u>Present law</u> requires, upon unanimous vote of the Safety Corridor Advisory Group and in the exercise of the authority to designate highway safety corridors on any highway in the state highway system, the secretary of the DOTD to coordinate with the LSP for the exercise of the police powers of the state as necessary to maintain the peace and accomplish the orderly handling of this authority.

<u>Present law</u> provides for definitions and for highway safety corridor violations. <u>Present law</u> requires the department from time to time to designate one or more violation clerks and agents to perform the functions specified in <u>present law</u> at the discretion of the department.

Proposed law removes present law (R.S. 32:57.4 and 267.1).

(Amends R.S. 32:267(A)(2) and (E); Adds R.S. 32:267(A)(3) and (4); Repeals R.S. 32:57.4 and 267.1)

(Summary of Amendments Adopted by House)

The Committee Amendments Proposed by <u>House Committee on Transportation</u>, <u>Highways and Public Works</u> to the <u>original</u> bill:

1. Make a technical change.