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DIGEST

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SB 302 Reengrossed

2024 Regular Session

Cathey

Present law authorizes law enforcement officers of the state or any political subdivision to operate video recording equipment and monitors in their law enforcement vehicles while in the performance of their duties.

Present law further provides law enforcement are prohibited from recording vehicles in violation of traffic safety laws with citations for such violations to be mailed to the alleged violator at a later date.

Proposed law clarifies present law to specify officers cannot record vehicles in violation of traffic safety laws and mail citations at a later date.

Proposed law provides for definitions for electronic enforcement device relative to local municipal authorities and local parish authorities.

Proposed law prohibits use of handheld or manned devices in school zones for the purpose of issuing a citation by mail except during certain hours before and after school on days children are in school. Proposed law further provides revenue generated as a result of handheld and manned devices used in school zones is divided with the applicable school district.

Proposed law requires that any jurisdiction that submits a local match waiver for capital outlay must disclose the amount of revenue collected from handheld traffic cameras or it will be subject to its local match waiver being revoked.

Proposed law provides for strict requirements on when handheld or manned, automated speed enforcement devices or mobile speed cameras may be used by local municipal authorities or local parish authorities.

Proposed law provides the use of handheld or manned devices for the purpose of issuing a citation violation by mail will not result in a criminal penalty or fine.

Proposed law further provides failing to pay the citation can not result in criminal fines or fees and cannot be reported to credit bureaus.

Proposed law provides that each local municipal authority or local parish authority that utilizes automated speed enforcement devices, red light cameras, or mobile speed cameras, for which a citation is issued by mail establish an administrative hearing process for motorists to appeal the citation violation.

Proposed law provides for minimum requirements for the administrative appeal hearing for local municipal authorities and local parish authorities to establish for the use of automated speed enforcement devices, red light cameras, or mobile speed cameras.

Specifies that no local ordinance can supersede the provisions of this Act.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 32:365(B); Adds R.S. 32:46, 47, and 48)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Transportation, Highways, and Public Works to the original bill

1. Removes changes to present law regulations on automated speed enforcement devices and mobile speed cameras.
2. Adds requirements for electronic enforcement devices in school zones.
3. Adds restrictions for use of handheld or manned devices.
4. Adds a process for administrative hearings.
5. Makes technical changes.

Senate Floor Amendments to engrossed bill

1. Makes technical changes.

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Transportation, Highways and Public Works to the reengrossed bill:

1. Add a requirement for jurisdictions that submit a local match waiver for capital outlay to disclose the amount of revenue collected from handheld traffic cameras and provide that failure to do so will subject the jurisdiction to its waiver being revoked.
2. Add a provision that prohibits local ordinances from superseding the provisions of this Act.
3. Make technical changes.