

2017 Regular Session

HOUSE BILL NO. 105

BY REPRESENTATIVE MAGEE

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

CRIME: Provides relative to the crime of improper supervision of a minor with respect to off-road vehicles and golf carts

1 AN ACT

2 To amend and reenact R.S. 14:92.2(B)(4) and to enact R.S. 14:92.2(A)(5) and (B)(5),
3 relative to improper supervision of a minor; to provide relative to the crime of
4 improper supervision of a minor by parent or legal custodian; to add elements of the
5 crime with respect to certain off-road vehicles and golf carts; to provide for
6 penalties; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 14:92.2(B)(4) is hereby amended and reenacted and R.S.
9 14:92.2(A)(5) and (B)(5) are hereby enacted to read as follows:

10 §92.2. Improper supervision of a minor by parent or legal custodian; penalty

11 A. Improper supervision of a minor by a parent or legal custodian, who has
12 care and control of the minor, includes any of the following activities:

13 * * *

14 (5) Causing or permitting an unlicensed minor to drive an off-road vehicle,
15 mini-truck, utility terrain vehicle, or golf cart upon any public road, highway, or
16 shoulder of any public road or highway in this state, in violation of R.S. 32:299,
17 299.2, 299.3, or 299.4.

18 B.

19 * * *

1 (4) Whoever violates the provisions of Paragraph (A)(5) of this Section shall
2 be punished by a fine of not more than one hundred dollars.

3 (4)(5) Whoever violates the provisions of Subparagraph (A)(2)(c) of this
4 Section, shall be fined not less than twenty-five dollars and not more than two
5 hundred fifty dollars for each offense, or imprisoned for not more than thirty days,
6 or both. The court shall impose a minimum condition of probation which may
7 include that the parent or legal custodian participate in forty hours of school or
8 community service activities, or a combination of forty hours of school or
9 community service and attendance in parenting classes or family counseling sessions
10 or programs approved by the court having jurisdiction, as applicable, or the
11 suspension of any state-issued recreational license.

* * *

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 105 Original

2017 Regular Session

Magee

Abstract: Adds causing or permitting an unlicensed minor to drive off-road vehicles or golf carts on any public road, highway, or shoulder of any public road or highway to the crime of improper supervision of a minor by a parent or legal custodian.

Present law (R.S. 32:299, 299.2, 299.3, and 299.4) prohibits unlicensed drivers from operating off-road vehicles, mini-trucks, utility terrain vehicles, and golf carts on public roads or highways. Proposed law retains present law.

Present law provides for the crime of improper supervision of a minor by a parent or legal custodian who has care and control of the minor, and provides for penalties, including a fine of not less than \$25 and not more than \$250, imprisonment for not more than 30 days, or both.

Proposed law adds to the present law crime of improper supervision of a minor by a parent or legal custodian causing or permitting an unlicensed minor to drive off-road vehicles, mini-trucks, utility terrain vehicles, or golf carts on any public road, highway, or shoulder of any public road or highway.

Proposed law subjects any person who violates the provisions of proposed law to a fine of not more than \$100 and otherwise retains present law penalties.

(Amends R.S. 14:92.2(B)(4); Adds R.S. 14:92.2(A)(5) and (B)(5))