

2017 Regular Session

SENATE BILL NO. 154

BY SENATOR CARTER

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

TRAFFIC. Requires posting notification of speed camera location. (8/1/17)

1 AN ACT

2 To enact R.S. 32:45, relative to traffic; to require posting notification of a mobile and fixed
3 location speed camera; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. R.S. 32:45 is hereby enacted to read as follows:

6 **§45. Required notification for mobile and fixed location speed camera**

7 **A. Local municipal authorities or local parish authorities shall post signs**
8 **indicating that a mobile and fixed location speed camera is present within five**
9 **hundred feet of each mobile and fixed location speed camera in such a manner**
10 **as to be clearly visible to traffic approaching the speed camera.**

11 **B.(1) Failure of a municipal or parish authority to comply with**
12 **Subsection A of this Section shall prohibit the use of any photographic or video**
13 **images collected by the speed camera to impose or collect any civil or criminal**
14 **fine, fee, or penalty by or on behalf of the municipal or parish authority.**

15 **(2) In any proceeding to collect a civil or criminal fine, fee, or penalty by**
16 **or on behalf of a municipal or parish authority, a rebuttable presumption shall**
17 **exist that signs were posted in accordance with Subsection A of this Section.**

1 **C. For the purposes of this Section, "mobile and fixed location speed**
 2 **camera" means a device designed to collect photographic or video evidence of**
 3 **an alleged violation of a posted speed limit by recording images that depict the**
 4 **license plate or other identifying feature of a motor vehicle that is not operated**
 5 **in compliance with a posted speed limit sign.**

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

DIGEST

SB 154 Original

2017 Regular Session

Carter

Present law authorizes local governing authorities to enact ordinances regulating the movement of traffic and other similar rules and regulations.

Proposed law requires local municipal or parish governing authorities to post signs indicating that a mobile and fixed location speed camera is present within 500 feet of each speed camera. Requires that the sign be posted in a manner to be clearly visible to traffic approaching the speed camera.

Proposed law provides that the failure of a municipal or parish authority to comply shall prohibit the use of any photographic or video images collected by the speed camera to impose or collect any civil or criminal fine, fee, or penalty by or on behalf of the municipal or parish authority.

Proposed law provides that in any proceeding to collect a civil or criminal fine, fee, or penalty on behalf of the municipality or parish there is a rebuttable presumption that the signs were posted as required.

Proposed law defines a speed camera as a device installed at an intersection designed to collect photographic or video evidence of alleged speed limit violation by recording images that depict the license plate or other identifying features of a motor vehicle being operated out of compliance with instruction of a posted speed limit sign.

Effective August 1, 2017.

(Adds R.S. 32:45)