

2018 Regular Session

SENATE BILL NO. 440

BY SENATOR MORRELL

MUNICIPALITIES. Provides for specific procedures before a motor vehicle can be immobilized by a municipality for unpaid fines. (8/1/18)

AN ACT

To amend and reenact R.S. 32:472, relative to motor vehicles; to provide for specific procedures to be followed before a motor vehicle can be immobilized by a municipality; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 32:472 is hereby amended and reenacted to read as follows:

§472. Parking motor vehicles; seizure of; immobilizing of; payment of costs

A. If any motor vehicle, in any municipality in this state, is seized or otherwise held by any policeman or other officer employed by said municipality for illegal parking, stationing or abandoning of such motor vehicle or for the violation of any traffic ordinance or regulation of the municipality, the owner shall be entitled to regain possession thereof upon payment of such costs as may be fixed by the policing authority of the municipality for the violation. The costs so fixed shall cover all charges for removing the vehicle to the place of holding and all other costs incurred during the period of holding.

B. Notwithstanding any other provision of law to the contrary, no municipality in any parish having a population between three hundred

- 1        **thousand and four hundred thousand according to the latest decennial census**  
 2        **shall immobilize a motor vehicle for unpaid parking fines before the registered**  
 3        **owner of the motor vehicle has received three or more unpaid parking fines.**
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The original instrument was prepared by Michael Bell. The following digest, which does not constitute a part of the legislative instrument, was prepared by Sharon F. Lyles.

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Present law provides that in any municipality in this state, when a motor vehicle is seized or otherwise held by any policeman or other officer employed by said municipality for illegal parking, stationing or abandoning of such motor vehicle or for the violation of any traffic ordinance or regulation of the municipality, the owner shall be entitled to regain possession thereof upon payment of such costs as may be fixed by the policing authority of the municipality for the violation.

Proposed law retains present law.

Proposed law provides that no municipality in any parish having a population between 300,000 and 400,000 according to the latest decennial census shall immobilize a motor vehicle for unpaid parking fines before the registered owner of the motor vehicle has received three or more unpaid parking fines.

Effective August 1, 2018.

(Amends R.S. 32:472)

#### Summary of Amendments Adopted by Senate

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

1. Removes requirements for municipalities to notify and possess proof of notice to registered owners of motor vehicles with unpaid parking fines by certified mail, return receipt requested, before immobilizing a motor vehicle.
2. Requires receipt of three or more unpaid parking fines by the registered owner of a motor vehicle before a municipality in any parish having a population between 300,000 and 400,000 according to the latest decennial census may immobilize a motor vehicle for unpaid parking fines.