

RÉSUMÉ DIGEST

ACT 478 (HB 654)

2021 Regular Session

Moore

Existing law provides for violations of traffic offenses for first time and subsequent violations.

New law adds a requirement for a fine to be twice that imposed in existing law for a violation occurring on the portion of a hwy. designated as a hwy. safety corridor pursuant new law.

New 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 hwy. system and interstate highway system that may be designated by the secretary of the DOTD as hwy. safety corridors to address hwy. safety problems through law enforcement, education, and safety enhancements.

New law 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 new law after reviewing all data and studies for the establishment of the hwy. safety corridor.

New law establishes the Safety Corridor Advisory Group and requires the following members serve on the advisory group:

- (1) The secretary of the DOTD or designee.
- (2) The superintendent of the LSP or designee.
- (3) The executive director of the La. Hwy. Safety Commission or designee.
- (4) The Regional Traffic Safety Coalition representative or designee in the Strategic Hwy. Safety Plan that has jurisdiction over the location of the proposed hwy. safety corridor.
- (5) Each chief law enforcement officer or designee that has jurisdiction over the location of the proposed hwy. safety corridor.
- (6) Each district attorney, or designee, that has jurisdiction over the location of the proposed highway safety corridor.

New law authorizes a local medical professional from near the location of the proposed hwy. safety corridor be appointed by the secretary of the La. Dept. of Health to serve on the Safety Corridor Advisory Group.

New law requires the advisory group do the following:

- (1) Establish objective criteria for designating a segment of hwy. as a safety corridor including but not limited to a review of crash data, crash reports, type and volume of vehicle traffic, and engineering and traffic studies.
- (2) Establish objective criteria for safety enhancements, including but not limited to, regular community engagement, heightened enforcement, engineering improvements, infrastructure investments, queue detection systems, extended Motorist Assistance Patrols, or instant tow dispatch and public outreach.
- (3) Elect a chairman, vice chairman, and secretary from its membership.
- (4) Serve without compensation and reimbursement of expenses other than compensation and reimbursement provided by their employers.

New law requires the secretary hold a minimum of one public hearing before designating any specific hwy. corridor as a hwy. safety corridor. Requires the public hearing for a specific

corridor be held at least 30 days prior to the designation at a location as close to the proposed corridor as practical.

New law requires the DOTD erect a sign at each end of the hwy. safety corridor and at appropriate intermediate sites along the corridor indicating that it is a hwy. safety corridor.

New law requires any person violating the provisions of new law while on the portion of a hwy. which is designated as a hwy. safety corridor, be fined and penalized as provided in existing law (R.S. 32:57) and new law.

New law authorizes the DOTD to adopt rules necessary to carry out the provisions of new law.

New law requires the secretary, upon a unanimous vote of the Safety Corridor Advisory Group and in the exercise of his authority, to designate hwy. safety corridors on any hwy. in the state hwy. system. Requires the secretary of the DOTD to coordinate with the LSP for the exercise police powers of the state as necessary to maintain the peace and accomplish the orderly handling of this authority, subject to the provisions of new law.

New law provides for definitions and retains definitions in existing law.

New law requires the penalty for a hwy. safety corridor violation be a fine of not more than \$100.

New law requires the department from time to time designate one or more violation clerks and agents to perform the functions specified in new law at the discretion of the department and for an time period as the department deems necessary. Authorizes the department to hire or designate such personnel and organize such sections as the department deems necessary, or contract for such services, in order to carry out the provisions in new law.

New law provides the provisions of new law are intended to supplement the laws governing motor vehicles and traffic regulation appearing existing law (Title 32), and requires nothing contained in new law be construed as precluding any police officer from enforcing these laws within a designated hwy. safety corridor.

New law requires the office of motor vehicles issue a notice to the violator at the address listed on the violator's driver's license, unless a more current address is on file, and to identify the violator's vehicle by vehicle identification number when the department receives notice from the DOTD to block the renewal or reissuance of the driver's license or registration of a frequent violator. Requires the notice advise of the block against renewal or reissuance, including a duplicate registration or driver's license.

New law requires the notice state the requirement to pay the reinstatement fee to the office of motor vehicles in addition to providing compliance from the DOTD to remove the block against renewal or reissuance. Requires the reinstatement fee be \$100 and requires the DOTD provide a complete record on all violations of the violator to the office of motor vehicles including notices, evidence, or other information used in determining the violation or conduction any hearing or appeal.

Effective June 29, 2021.

(Adds R.S. 32:57(I), 57.3, 267, and 267.1)