

2022 Regular Session

SENATE BILL NO. 435

BY SENATORS CORTEZ, BARROW, BOUDREAUX, BOUIE, FESI, FIELDS,  
HENSGENS, JACKSON, MILLIGAN, FRED MILLS, MIZELL,  
PEACOCK, POPE, PRICE, STINE, TALBOT AND WOMACK

TRANSPORTATION/DEV DEPT. Provides relative to the Louisiana Highway Regulatory Act. (8/1/22)

1 AN ACT

2 To enact R.S. 32:57(J) and 268, relative to the Louisiana Highway Regulatory Act; to

3 establish the Atchafalaya Basin Bridge as a highway safety corridor; to provide for

4 camera safety devices; to provide relative to traffic regulations; to provide relative

5 to speed limits; to provide relative to driving on the right side, overtaking, and

6 passing; to provide for signs; to provide for penalties; and to provide for related

7 matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 32:57(J) and 268 are hereby enacted to read as follows:

10 §57. Penalties; alternatives to citation

11 \* \* \*

12 **J. If a person operating a motor vehicle violates the provisions of this**

13 **Chapter while on the Atchafalaya Basin Bridge, the fine shall be two times the**

14 **standard fine imposed. For purposes of this Subsection, the Atchafalaya Basin**

15 **Bridge shall mean the Atchafalaya Elevated Expressway designated by Act No.**

16 **793 of the 1989 Regular Session of the Legislature as the Louisiana Airborne**

17 **Memorial Bridge.**

1 \* \* \*

2 **§268. Atchafalaya Basin Bridge; highway safety corridor; camera usage; signs**

3 **A.(1) The legislature finds and declares that the Atchafalaya Basin**  
4 **Bridge shall be identified as a highway safety corridor based on data analytics**  
5 **that have identified this segment of highway as a high collision crash zone**  
6 **resulting in severe injury and fatality due primarily to driver behavior such as**  
7 **speeding, aggressive driving, impairment, and distracted driving.**  
8 **Notwithstanding any provision of law to the contrary, including R.S. 32:267 et**  
9 **seq., the Department of Transportation and Development shall take all steps**  
10 **necessary to implement the provisions of this Section.**

11 **(2) The legislature further finds and declares that the department shall**  
12 **implement measures to reduce safety risks to both law enforcement and**  
13 **individuals driving across the Atchafalaya Basin Bridge including but not**  
14 **limited to the implementation of camera safety devices and installation of**  
15 **additional signage.**

16 **(3) For purposes of implementation of this Section, the Atchafalaya Basin**  
17 **Bridge shall mean the Atchafalaya Elevated Expressway designated by Act No.**  
18 **793 of the 1989 Regular Session of the Legislature as the Louisiana Airborne**  
19 **Memorial Bridge.**

20 **B.(1) The department shall install camera safety devices on the**  
21 **Atchafalaya Basin Bridge. The department may consult with the Safety**  
22 **Corridor Advisory Group to determine the quantity, placement, duration of**  
23 **use, and operation of the cameras. The department may monitor the cameras**  
24 **or may contract with a third-party to monitor the cameras. The department**  
25 **may determine whether the cameras should be utilized continuously or only**  
26 **during certain hours.**

27 **(2) The department shall establish a process for identification of motor**  
28 **vehicles traveling in excess of the posted speed limit, issuance of warnings and**  
29 **citations, and collection of fines.**

1           (3) The department shall adopt policies and procedures for the issuance  
2           of citations and the collection of fines authorized pursuant to this Section in  
3           accordance with the Administrative Procedure Act.

4           C. The department shall place the following signs, in compliance with the  
5           standards set forth in the Manual of Uniform Traffic Control Devices, on the  
6           Atchafalaya Basin Bridge:

7           (1) Signs placed at the eastbound entrance of the bridge and signs placed  
8           at the westbound entrance of the bridge that state "Safety Corridor, Fines  
9           Doubled for Speeding and Other Violations". The department shall design the  
10          color, size, and shape of the signs in a manner that safely alerts and informs  
11          drivers that they are entering a highway safety corridor. The department may  
12          place additional signs designed pursuant to this Paragraph along the bridge as  
13          necessary.

14          (2) Eight sets of speed limit signs equally spaced on the eastbound  
15          portion of the bridge and eight sets of speed limit signs equally spaced on the  
16          westbound portion of the bridge.

17          (3) Six sets of "Trucks Right Lane Only" signs equally spaced on the  
18          eastbound portion of the bridge and six sets of "Trucks Right Lane Only" signs  
19          equally spaced on the westbound portion of the bridge.

20          D. Nothing in this Section shall be construed as precluding any police  
21          officer from enforcing traffic laws on the Atchafalaya Basin Bridge. However,  
22          no person shall be subject to a citation issued pursuant to this Section if a  
23          citation for the same offense was also issued by a police officer.

24          E.(1) There is hereby created in the state treasury a special fund to be  
25          designated and hereafter referred to as the Atchafalaya Basin Bridge Safety  
26          Fund, hereinafter referred to as the "fund".

27          (2) Any monies collected as fines pursuant to R.S. 32:57(J), as a result of  
28          traffic camera safety device data, shall be deposited into the fund.

29          (3) Subject to legislative appropriation, monies in the fund shall be used

1           first to fund the department's expenditures necessary to carry out the  
 2           provisions of this Section. Thereafter, at the conclusion of each fiscal year, any  
 3           unexpended monies in the fund shall be divided equally between the parishes  
 4           of Iberville and St. Martin and shall be remitted to entities or organizations  
 5           within each parish in the same proportions as fines collected by the parishes  
 6           when traffic violations are issued by a law enforcement officer.

7                       **(4) All unexpended and unencumbered monies in the fund at the end of**  
 8           **the fiscal year shall remain in the fund.**

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The original instrument was prepared by Michelle D. Ridge. The following digest, which does not constitute a part of the legislative instrument, was prepared by Thomas L. Tyler.

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DIGEST

SB 435 Re-Reengrossed

2022 Regular Session

Cortez

Present law provides relative to the La. Highway Regulatory Act, which includes provisions relating to speed limits and driving on the right side of the road, overtaking, and passing.

Present law provides for penalties for a violation of the La. Highway Regulatory Act with the first offense being a fine of not more than \$175 or imprisonment of not more than 30 days, or both, unless otherwise provided by law. A subsequent violation will result in a fine of not more than \$500 or imprisonment for not more than 90 days, or both.

Proposed law retains present law and provides that if a person operating a motor vehicle violates the provisions of present law while on the Atchafalaya Basin Bridge, the fine shall be two times the standard fine imposed.

Proposed law provides that the Atchafalaya Basin Bridge means the Atchafalaya Elevated Expressway designated by Act 793 of 1989 as the Louisiana Airborne Memorial Bridge.

Proposed law provides legislative intent designating the Atchafalaya Basin Bridge as a highway safety corridor and directs DOTD to take all steps necessary to implement proposed law including but not limited to the implementation of camera safety devices and installation of additional signage.

Proposed law authorizes DOTD to install camera safety devices on the bridge, provides certain parameters, and provides for rulemaking.

Proposed law provides for signage on the bridge to include speed limit signs, "Trucks Right Lane Only" signs, and "Safety Corridor, Fines Doubled for Speeding and Other Violations" signs.

Proposed law provides for the number and placement of the signs.

Proposed law provides that the signs are in compliance with the Manual of Uniform Traffic Control Devices.

Proposed law provides that no person shall be subject to a citation issued pursuant to proposed law if a citation for the same offense was also issued by a police officer.

Proposed law provides for the creation of the Atchafalaya Basin Bridge Safety Fund and for the management of money in the fund. Further provides for monies from the fund to be used to cover expenditures of the department in setting up required signage and cameras. Changes pro rata distribution from the fund to the parishes to proportional distribution based on the civil fines attributable to each parish.

Proposed law requires that, subject to legislative appropriation, monies in the fund be used first to fund the department's expenditures necessary to implement proposed law and that thereafter, at the conclusion of each fiscal year, any unexpended monies in the fund shall be divided equally between the parishes of Iberville and St. Martin to be remitted to entities or organizations within each parish in the same proportions as fines collected by the parishes when traffic violations are issued by a law enforcement officer.

Effective August 1, 2022.

(Adds R.S. 32:57(J) and 268)

Summary of Amendments Adopted by Senate

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

1. Reduces the fine from five times the standard amount to two times.
2. Clarifies that the Atchafalaya Basin Bridge means the Atchafalaya Elevated Expressway designated by Act 793 of 1989 as the Louisiana Airborne Memorial Bridge.
3. Provides legislative intent.
4. Requires DOTD to implement safety measures including cameras and increased signage.
5. Provides that no person shall be subject to a citation issued from a camera if they were also issued a citation for the same offense by a police officer.
6. Creates the Atchafalaya Basin Bridge Safety Fund.

Committee Amendments Proposed by Senate Committee on Finance to the engrossed bill

1. Provides for monies from the fund to be used to cover expenditures of the department in setting up required signage and cameras.
2. Changes pro rata distribution from the fund to the parishes to proportional distribution based on the civil fines attributable to each parish.

Senate Floor Amendments to reengrossed bill

1. Adds provisions for use and distribution of monies in the Fund.