
DIGEST

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HB 322 Engrossed

2023 Regular Session

Willard

Abstract: Specifies that certain violations are secondary offenses that cannot be used as grounds for a stop absent a primary moving violation.

Present law requires pedestrians crossing a roadway at any point other than within a marked cross walk or within an unmarked crosswalk at an intersection yield the right of way to all vehicles upon the roadway.

Proposed law makes a violation of present law a secondary offense.

Present law requires an owner or operator of a motor vehicle to obtain a current and valid inspection certificate at least once every other year. Specifies that the failure to obtain the required inspection certificate is not a violation, provided that the certificate expired less than one month ago to be deemed valid.

Proposed law makes the expiration on the inspection sticker valid if it is less than four months overdue. Specifies that a violation of present law constitutes a nonmoving violation and is a secondary offense where the driver should not be stopped, unless it is in connection with a primary moving violation.

(Amends R.S. 32:1304(E)(1); Adds R.S. 32:213(C), and 1304(I))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Transportation, Highways and Public Works to the original bill:

1. Remove the provision that made a violation of signal lamp and signal device requirements a nonmoving violation that would constitute a secondary offense in which a driver could only be cited if the vehicle was stopped for a primary offense.
2. Remove the provision that made a violation of the modification of exhaust system requirements a nonmoving violation that would constitute a secondary offense in which the driver could only be stopped for a primary offense.
3. Remove the provision that made a violation of outward or inward through windshield requirements a nonmoving violation that would constitute a secondary offense in which

the driver could only be cited if the vehicle was stopped for a primary offense.

4. Change four calendar months to two calendar months for the periodical inspection sticker for the windshield.