

RÉSUMÉ DIGEST

ACT 103 (SB 302)

2024 Regular Session

Cathey

Existing law authorizes law enforcement officers of the state or any political subdivision to operate video recording equipment and monitors in their law enforcement vehicles while in the performance of their duties. Existing law further provides law enforcement officers are prohibited from recording vehicles in violation of traffic safety laws with citations for such violations to be mailed to the alleged violator at a later date. New law clarifies existing law to specify officers cannot record vehicles in violation of traffic safety laws and mail citations at a later date.

New law provides for definitions of electronic enforcement device relative to local municipal authorities and local parish authorities.

New law prohibits use of handheld or manned devices in school zones for the purpose of issuing a citation by mail except during certain hours before and after school on days children are in school. New law further provides revenue generated as a result of handheld and manned devices used in school zones is divided with the applicable school district after payment to contractors.

New law further provides for revenue generated outside of a school zone in Orleans Parish and requirements on electronic enforcement devices for parishes relative to capital outlay funds.

New law requires that any jurisdiction that submits a local match waiver for capital outlay must disclose the amount of revenue collected from handheld traffic cameras or it will be subject to its local match waiver being revoked except in certain circumstances.

New law provides for strict requirements on when handheld or manned, automated speed enforcement devices or mobile speed cameras may be used by local municipal authorities or local parish authorities.

New law provides for requirements for photo enforcement signs.

New law provides the use of handheld or manned devices for the purpose of issuing a citation violation by mail will not result in a criminal penalty or fine.

New law further provides failing to pay the citation can not result in criminal fines or fees and cannot be reported to credit bureaus.

New law provides that each local municipal authority or local parish authority that utilizes automated speed enforcement devices, red light cameras, or mobile speed cameras, for which a citation is issued by mail establish an administrative hearing process for motorists to appeal the citation violation.

New law provides for minimum requirements for the administrative appeal hearing for local municipal authorities and local parish authorities to establish for the use of automated speed enforcement devices, red light cameras, or mobile speed cameras. Provides for an attestation clause on the back of the citation.

New law specifies that no local ordinance can supersede the provisions of the law, except to prohibit electronic enforcement devices.

Effective May 21, 2024.

(Amends R.S. 32:365(B); adds R.S. 32:46, 47, 48, and 49)