

Regular Session, 2012

SENATE BILL NO. 406

BY SENATOR DORSEY-COLOMB

MOTOR VEHICLES. Requires trailers with a certain gross weight capacity to be equipped with a safety device. (1/1/13)

AN ACT

To amend and reenact R.S. 32:384(D) and (E)(1)(introductory paragraph) and to enact R.S. 32:384(E)(1)(d), relative to trailers and towed vehicles; to require trailers with a certain gross weight capacity to be equipped with a safety device; to provide for applicability; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 32:384(D) and (E)(1)(introductory paragraph) is hereby amended and reenacted and R.S. 32:384(E)(1)(d) is hereby enacted to read as follows:

§384. Trailers and towed vehicles

\* \* \*

D.(1) Every trailer and semitrailer with a loaded gross weight capacity of up to six thousand pounds shall be equipped with safety chains or other safety device approved in accordance with Subsection E **of this Section**. The safety chains or other approved safety device shall be securely attached to the towing vehicle when the trailer or semitrailer is in motion and shall be of sufficient strength to hold the trailer behind the towing vehicle in case the connection between the two vehicles detaches.

**(2) After December 31, 2012, the owner or operator of every trailer or**

1 semitrailer with a loaded gross weight capacity of up to ten thousand pounds  
2 shall equip his trailer or semitrailer with a safety device, approved in  
3 accordance with Subsection E of this Section, prior to registering the trailer or  
4 semitrailer for the first time only. The approved safety device shall be securely  
5 attached to the towing vehicle when the trailer is in motion on a public road or  
6 highway and shall be of sufficient strength to hold the trailer behind the towing  
7 vehicle in case the connection between the two vehicles detaches. This  
8 Subsection shall not be applicable to trailers or semitrailers when the trailer is  
9 not in motion on a public road or highway and is used solely for farm purposes.  
10 This Subsection shall only apply to trailers or semitrailers registered in  
11 Louisiana for the first time after December 31, 2012. This Subsection shall not  
12 apply to trailers or semitrailers registered pursuant to transfers after December  
13 31, 2012.

14 (3) After December 31, 2012, no private entity shall sell or offer for sale  
15 any newly manufactured trailer or semitrailer unless such trailer or semitrailer  
16 is equipped with a safety device approved in accordance with Subsection E of  
17 this Section.

18 E.(1) The Department of Public Safety and Corrections, office of state police,  
19 shall have the authority to approve safety devices, ~~other than safety chains~~  
20 excluding safety chains, to be used when towing trailers or semitrailers. The  
21 approval of a safety device shall be in writing. Any such device shall be inspected  
22 by the office of state police before written approval is given. The following criteria  
23 shall be considered in making the determination of whether or not to approve such  
24 safety device, ~~as an alternative to safety chains~~ excluding safety chains:

25 \* \* \*

26 (d) The safety device shall have a stamp or a permanent label attached  
27 to the safety device and be applicable to the size of the load capacity of the  
28 trailer.

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Section 2. This Act shall become effective on January 1, 2013.

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Sharon F. Lyles.

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#### DIGEST

Present law requires every trailer and semitrailer with a loaded gross weight capacity of up to 6,000 pounds to be equipped with safety chains or other safety device approved by DPS&C.

Proposed law retains present law for trailers and semitrailers currently registered.

Proposed law requires all semitrailers and trailers to a loaded gross weight capacity of up to 10,000 pounds newly registered after Dec. 31, 2012, to be equipped with an approved safety device.

Proposed law provides that after Dec. 31, 2012, no private entity shall sell or offer for sale any newly manufactured trailer or semitrailer unless such trailer or semitrailer is equipped with an approved safety device.

Present law allows DPS&C, office of state police, to approve safety devices other than safety chains to be used when towing trailers or semitrailers. Requires the approval by the office of state police of the safety device to be in writing.

Proposed law allows DPS&C, office of state police, to approve safety devices excluding safety chains to be used when towing trailers or semitrailers. Requires the approval by the office of state police of the safety device to be in writing.

Proposed law provides that any safety device approved by DPS&C, office of state police, will have a stamp or a permanent label attached to the safety device and be applicable to the size of the load capacity of the trailer.

Proposed law provides that the provisions of proposed law shall not apply to trailers when the trailer is not in motion on a public road or highway and is used solely for farm purposes.

Effective January 1, 2013.

(Amends R.S. 32:384(D) and (E)(1)(intro. para.); adds R.S. 32:384(E)(1)(d))