
DIGEST

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Howard

HB No. 225

Abstract: Provides citations issued by the weights and standards police force or state police for violations of weight, size, or load violations while in Sabine Parish shall be disposed of as traffic citations by courts in Sabine Parish.

Present law provides that the secretary of Dept. of Transportation (DOTD) or deputy secretary of Dept. of Public Safety and Corrections (DPS&C), public safety services, may impose civil penalties for violations of law pertaining to violations of size, width, or load laws committed in any parish.

Proposed law provides that a court of proper jurisdiction in Sabine Parish may impose any penalty that the secretary of DOTD or deputy secretary of DPS&C, public safety services, may impose for violations pertaining to violations of size, width, or load laws committed in Sabine Parish.

Present law provides that payments for penalties imposed for violations of size, width, or load laws in any parish shall be remitted to the Transportation Trust Fund. However, any payments for citations for weight limitations on parish roads in a parish shall be paid to the public works department of said parish.

Proposed law provides that the disposition of payment for penalties imposed for violations of laws pertaining to the size, width, or load of a vehicle issued while in Sabine Parish shall be made as follows:

- (1) An amount not to exceed 20% of total fines and penalties received each month shall be deposited into the treasury of Sabine Parish to pay for all costs associated with the alleged violations.
- (2) All monies remaining after satisfying the requirements of proposed law shall be transmitted to the state treasurer, who shall deposit such monies as are necessary for the requirements of the Bond Security and Redemption Fund, and thereafter deposit all remaining monies to into the Transportation Trust Fund unless the violation occurred on a parish road. Any payments for citations for weight limitations on a Sabine Parish road shall be remitted to the state treasurer and paid to the public works department of Sabine Parish.

Present law provides that any person violating laws pertaining to size, width, or load of a vehicle

in any parish shall be issued a notice of violation with a civil penalty being assessed by the deputy secretary of DPS&C, public safety services, subject to review by an administrative law judge. Any decision by an administrative law judge can be appealed in a state district court with proper venue over the matter.

Proposed law provides that violations of laws pertaining to the size, width, or load of a vehicle while in Sabine Parish shall be disposed of as a civil traffic ticket to be prosecuted by the district attorney in Sabine Parish and shall result in a civil penalty.

(Amends R.S. 32:388(F) and (G)(1), 389(B)(1), (D)(1), (2), and (3), and (E)(2); Adds R.S. 16:1(E) and R.S. 32:388.2, 389(C)(5), 398.1(D), and 398.2(G))