

Regular Session, 2014

HOUSE BILL NO. 1258 (Substitute for House Bill No. 220 by Representative Thibaut)

BY REPRESENTATIVE THIBAUT

MOTOR VEHICLES: Provides relative to motor vehicle inspection checkpoints

1 AN ACT

2 To amend and reenact R.S. 32:295.4, relative to motor vehicle inspection; to provide  
3 guidelines for motor vehicle inspection checkpoints by law enforcement agencies;  
4 to provide for the location of checkpoints; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 32:295.4 is hereby amended and reenacted to read as follows:

7 §295.4. Guidelines for seat belt, motor vehicle inspections, and motor vehicle  
8 liability security checkpoints; law enforcement agencies

9 All law enforcement agencies involved in traffic enforcement shall establish  
10 guidelines for the operation of seat belt checkpoints, motor vehicle inspections, ~~and~~  
11 or proof of compulsory motor vehicle liability security checkpoints. Such guidelines  
12 shall include but not be limited to the following provisions:

13 (1) The location, time, and duration for seat belt, motor vehicle inspection,  
14 ~~and or~~ compulsory motor vehicle liability security checkpoints shall be established  
15 in written form by supervisory or other administrative personnel of the law  
16 enforcement agency rather than the field officers implementing the checkpoint.

17 (2) For purposes of motor vehicle inspections, the location of the checkpoint  
18 shall not be less than two thousand five hundred feet from a bridge, overpass, or the  
19 intersection between two state highways or between a state and federal highway.

1           ~~(2)~~ (3) Provision for advance warning to the approaching motorists with  
2           signs, flares, and other indications to warn motorists of an impending stop and to  
3           provide indication of its official nature as a police checkpoint.

4           ~~(3)~~ (4) Provisions to ensure detention of motorists for a minimal length of  
5           time.

6           ~~(4)~~ (5) The use of a systematic, nonrandom criteria for stopping motorists.

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#### DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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Thibaut

HB No. 1258

**Abstract:** Requires law enforcement agencies to follow the same guidelines for motor vehicle inspections as in seat belt and motor vehicle liability security checkpoints.

Present law requires that all law enforcement agencies involved in traffic enforcement establish guidelines for the operation of seat belt checkpoints and proof of compulsory motor vehicle liability security checkpoints.

Proposed law adds motor vehicle inspection checkpoints to present law.

Present law provides that checkpoint guidelines include location, time, and duration, and they shall be established in written form by supervisory or administrative personnel rather than field officers. Proposed law provides that the location of a motor vehicle inspection checkpoint cannot be less than 2,500 feet from a bridge, overpass, or the intersection between two state highways or between a state and federal highway.

(Amends R.S. 32:295.4)