

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 inspection, 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 inspection
11 checkpoints, ~~and~~ or proof of compulsory motor vehicle liability security checkpoints.

12 Such guidelines 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 hundred fifty 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.

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)]

Thibaut

HB No. 1258

Abstract: Requires law enforcement agencies to follow the same guidelines for motor vehicle inspection checkpoints 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 250 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)

Summary of Amendments Adopted by House

House Floor Amendments to the engrossed bill.

1. Changed the distance the checkpoint must be from a bridge, overpass, or the intersection between two state highways or between a state and federal highway from 2,500 feet to 250 feet.