

RÉSUMÉ DIGEST

ACT 164 (SB 176)

2015 Regular Session

Appel

Prior law provided that the board of commissioners of the Port of New Orleans may prescribe civil fines for violation of ordinances prohibiting parking, stopping, or standing in certain areas of the jurisdiction of the port pursuant to the procedures for administrative adjudication provided for in prior law.

New law provides that the board of commissioners may prescribe civil fines for violation of its traffic and parking ordinances which prohibit speeding, parking, stopping, or standing in certain areas of the jurisdiction of the port pursuant to the procedures for administrative adjudication provided for in prior law.

Prior law provided that the board of commissioners of the Port of New Orleans may adopt an ordinance establishing an administrative adjudication hearing procedure under prior law. Prior law further provided that each ordinance shall provide a time period for persons charged with violating a parking, stopping, or standing ordinance to have a hearing under prior law. Further provided that the ordinance shall provide for appointment of hearing officers who shall have been licensed to practice law in Louisiana for five years and who may administer oaths and affirmations and to issue orders compelling the attendance of witnesses and the production of documents. Provided that any order compelling the attendance of witnesses or the production of documents may be enforced by the appellate court in the parish in which the violation is alleged to have occurred.

New law retains prior law and adds speeding as one of the ordinances for which a time period shall be provided within which a person charged with violations of the ordinance shall have a hearing under prior law.

Prior law provided that a hearing officer shall issue an order stating whether or not the person charged is liable for violation of the parking, stopping, or standing ordinance and the amount of any fine, penalty, costs, or fee assessed against him, which order may be filed with the port. Prior law further provided that any such order filed with the port may be enforced by immobilization of the offending vehicle.

New law retains prior law and adds speeding as one of the ordinances for which the person charged may be liable.

Prior law provided that any person determined by the hearing officer to be in violation of a parking, stopping, or standing ordinance may appeal this determination to the appellate court in the parish in which the violation is alleged to have occurred.

Prior law retains prior law and adds speeding as a possible violation which may be appealed.

Prior law provided that an agency of the port, designated by ordinance, shall accept payments of violations for parking, stopping, or standing ordinances.

New law retains prior law and adds payment of speeding violations to the list of ordinances.

Effective August 1, 2015.

(Amends R.S. 13:2571.1)