

2016 Regular Session

SENATE BILL NO. 292

BY SENATOR JOHNS

TRAFFIC. Prohibits a parish or municipality from assessing a fine in excess of \$75 when a driver fails to provide proof of insurance coverage at the time of a traffic stop. (8/1/16)

1 AN ACT

2 To enact R.S. 32:863.1.1, relative to motor vehicle liability security; to provide relative to
3 failure to have a document that evidences motor vehicle liability security contained
4 in a motor vehicle operated on the public highways of this state; to limit the amount
5 of penalty and fee for failure to have a document that evidences proof of compulsory
6 motor vehicle liability contained in a motor vehicle at the time of a traffic stop; and
7 to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 32:863.1.1 is hereby enacted to read as follows:

10 **§863.1.1. Evidence of compulsory motor vehicle liability security not contained**

11 **in a motor vehicle; limitation on penalty and fee**

12 **Notwithstanding any other provision of law to the contrary, no governing**

13 **authority of a parish or municipality on whose behalf a citation is issued for**

14 **failure to have a document that evidences compliance with compulsory motor**

15 **vehicle security contained in the motor vehicle at the time any law enforcement**

16 **officer stops a vehicle at an administrative violations checkpoint, or in**

17 **connection with an alleged violation of the law, or for any other reason, or when**

1 **a law enforcement officer investigates an accident, shall assess a penalty or fee**
2 **in excess of seventy-five dollars for failure of an owner or operator to have a**
3 **document that evidences compulsory motor liability security contained in the**
4 **motor vehicle, provided that the owner has current motor vehicle liability**
5 **security covering the vehicle at the time of the traffic stop.**

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

DIGEST

SB 292 Original

2016 Regular Session

Johns

Present law requires an owner or operator of a motor vehicle on a Louisiana public highway to have contained within the vehicle a document that evidences that the motor vehicle is in compliance with R.S. 32:361 relative to compulsory motor vehicle liability security. (R.S. 32:863.1)

Proposed law retains present law but prohibits any parish or municipal governing authority from assessing a penalty and fee in excess of \$75 for failure of an owner or operator of a motor vehicle to have contained within the vehicle a document that evidences that the motor vehicle complies with present law, provided that the owner has current motor vehicle liability security covering the vehicle at the time of the traffic stop.

Effective August 1, 2016.

(Adds R.S. 32:863.1.1)