

Regular Session, 2010

HOUSE BILL NO. 1479 (Substitute Bill for HB 1425 by Representative Monica)

BY REPRESENTATIVE MONICA

MTR VEHICLE/TRAILERS: Requires trailers with a certain gross weight capacity to be equipped with a safety device

1 AN ACT

2 To amend and reenact R.S. 32:384 (D) and (E)(1)(b) and to enact R.S. 32: 384(E)(1)(d) and
3 (F), relative to trailers and towed vehicles; to require trailers with a certain gross
4 weight capacity to be equipped with a safety device; to provide for applicability; and
5 to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 32: 384(D) and (E)(1)(b) are hereby amended and reenacted and R.S.
8 32:384(E)(1)(d) and(F) is hereby enacted to read as follows:

9 §384. Trailers and towed vehicles

10 * * *

11 D. Every trailer ~~and semitrailer~~ with a loaded gross weight capacity of up to
12 ~~six~~ ten thousand pounds shall be equipped with ~~safety chains or other~~ a safety device
13 approved in accordance with Subsection E of this Section. The ~~safety chains or other~~
14 approved safety device shall be securely attached to the towing vehicle when the
15 trailer ~~or semitrailer~~ is in motion on a public road or highway and shall be of
16 sufficient strength to hold the trailer behind the towing vehicle in case the connection
17 between the two vehicles detaches.

18 E.(1) The Department of Public Safety and Corrections, office of state
19 police, shall have the authority to approve safety devices ~~other than safety chains~~ to
20 be used when towing trailers, ~~or semitrailers~~. The approval of a safety device shall

1 be in writing. Any such device shall be inspected by the office of state police before
2 written approval is given. The following criteria shall be considered in making the
3 determination of whether or not to approve such safety device as an alternative to
4 safety chains:

5 (a) The physical characteristics of the device, including but not limited to the
6 material or materials used in constructing the device.

7 (b) The method by which the device is attached to the trailer, ~~or semitrailer.~~

8 (c) The overall strength of the device.

9 (d) The safety device shall have a stamp or a permanent label attached to the
10 safety device and be applicable to the size of the load capacity of the trailer.

11 * * *

12 F. The provisions of this Section shall not be applicable to trailers used
13 solely for farm purposes.

14 Section. 2. Any trailer sold or manufactured in the state of Louisiana after January
15 1, 2012, shall have a safety device required by this Act.

16 Section 3. The provisions of this Act shall only be applicable to trailers registered
17 in the state of Louisiana.

18 Section 4. The pendle hook device shall be exempt from the provisions of this Act.

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)]

Monica

HB No. 1479

Abstract: Requires trailers with a loaded gross weight capacity of up to ten thousand pounds to be equipped with a safety device. Provides for applicability.

Present law requires every trailer and semitrailer with a loaded gross weight capacity of up to six thousand pounds with safety chains or other safety device approved by the Dept. of Public Safety and Corrections.

Proposed law increases the requirement for trailers to a loaded gross weight capacity of up to ten pounds with an approved safety device.

Present law requires safety chains or other approved safety devices to be securely attached to the towing vehicle when the trailer or semitrailer is in motion and requires the safety chains or safety device to be of sufficient strength to hold the trailer behind the towing vehicle in case the connection between the two vehicles detaches.

Proposed law retains present law but removes all references to safety chains and semitrailers under proposed law.

Present law requires the Dept. of Public Safety and Corrections, office of state police to have the authority to approve safety devices other than safety chains to be used when towing trailers or semitrailers. Requires the approval by the office of state police of the safety device to be in writing.

Present law further requires the safety device to be inspected by the office of state police prior to the approval by the office of state police. Provides for certain criteria to be considered when making the determination of whether or not to approve the safety device as an alternative to safety chains under present law.

Proposed law provides that the safety device will have a stamp or a permanent label attached to the safety device and be applicable to the size if the load capacity of the trailer.

Proposed law provides that the provisions under proposed law shall not apply to trailers used solely for farm purposes.

Provides that any trailer sold or manufactured in the state of La. after Jan. 1, 2012, shall have a safety device required by proposed law.

Provides that the provisions of this Act shall only be applicable to trailers registered in the state of La.

Provides that the pendle hook device shall be exempt from the provisions of this Act.

(Amends R.S. 32:384(D) and (E)(1)(b); Adds R.S. 32:384(E)(1)(d) and (F))