

ORDINANCE NO. \_\_\_\_\_ OF 2024

**AN ORDINANCE AMENDING CHAPTER 90, ARTICLE XIII, FO THE CODE OF ORDINANCES, RELATIVE TO ELECTRONIC TRAFFIC ENFORCEMENT, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.**

**BE IT ORDAINED** by the City Council of the City of Shreveport, Louisiana in due, legal and regular session convened, that Section 90-515 be hereby amended to read as follows:

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**Sec. 90-515. Definitions.**

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*Hearing officer/adjudicator* shall mean a licensed attorney designated by the mayor, who shall be an independent third party who was not a participant in the issuance of the violation, who meets the qualifications contained within the section.

**BE IT FURTHER ORDAINED** by the City Council of the City of Shreveport, Louisiana in due, legal and regular session convened, that Section 90-516 be hereby amended to read as follows:

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**Sec. 90-516. Imposition of civil violation penalty for violations enforced by a photographic speed enforcement system.**

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(d) The operation of the electronic enforcement device shall only be in school zones, on school days during the specified time periods when children are in school. Devices shall only be operated one hour before and one hour after the beginning of a school day and one hour before and one hour after the end of a school day.

**BE IT FURTHER ORDAINED** by the City Council of the City of Shreveport, Louisiana in due, legal and regular session convened, that Section 90-519 be hereby amended to read as follows:

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**Sec. 90-519. Administrative adjudication hearing.**

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- (i) It shall be an affirmative defense to the imposition of civil liability under this article, to be proven by a preponderance of the evidence, that:

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(8) The Traffic control signal was not in proper position and sufficiently legible to an ordinarily observant person.

(9) The operator of the vehicle was acting in compliance with the lawful order or direction of a law enforcement or public safety officer.

(10) The operator of the vehicle violated the instructions of the traffic control signal so as to yield the right-of-way to an immediately approaching authorized emergency vehicle.

(11) The presence of ice, snow, unusual amounts of rain, or other unusually hazardous road conditions existed that would make compliance with this subpart more dangerous under the circumstances than noncompliance.

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- (k) The decision of the hearing officer shall be subject to judicial review within 30 days of an adverse decision rendered by the hearing officer.
- (l) The hearing officer at any administrative hearing shall issue an order clearly stating the decision rendered.
- (m) A civil penalty may not be imposed under this subpart on the owner of a vehicle if the operator of the vehicle was arrested or was issued a citation and notice to appear by a law or public safety officer as a violation of R.S. 32:232 if the violation was captured by an electronic enforcement device.

**BE IT FURTHER ORDAINED** by the City Council of the City of Shreveport, Louisiana in due, legal and regular session convened, that Section 90-520 be hereby amended to read as follows:

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**Sec. 90-520. Appointment of hearing officers.**

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- (e) Hearing officers shall be independent, third parties who were not participants in the issuance of the violation.

**BE IT FURTHER ORDAINED** by the City Council of the City of Shreveport, Louisiana in due, legal and regular session convened, that Section 90-524 be hereby amended to read as follows:

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**Sec. 90-524. – Allocation of revenue.**

Revenue generated as a result of the electronic enforcement devices in school zones shall be divided between the governing authority of the school where traffic citation was issued and the municipality after the governing authority pays the contractor or vendor for the costs of providing the electronic enforcement devices and related services.

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Revenue generated as a result of electronic enforcement devices outside of a school zone shall only be used for public safety purposes.

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**BE IT FURTHER ORDAINED** that the remainder of Chapter 90 shall remain unchanged.

**BE IT FURTHER ORDAINED** that if any provision or item of this Ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this Ordinance which can be given affect without the invalid provisions, items or applications and to this end the provisions of this Ordinance are hereby declared severable.

**BE IT FURTHER ORDAINED** that all Ordinances or parts thereof in conflict herewith are hereby repealed.

**BE IT FURTHER ORDAINED** that this Ordinance shall become effective in accordance with the provisions of [Shreveport City Charter Section 4.23](#).

**THUS DONE AND ORDAINED** by the City Council of the City of Shreveport, Louisiana.

**APPROVED AS TO LEGAL FORM:**

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City Attorney's Office