

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO.: 7881

ORDINANCE COUNCIL SERIES NO.: 25-_____

COUNCIL SPONSOR: MR. BURKE/MR. SMITH

PROVIDED BY: CIVIL DA/COUNCIL OFFICE

INTRODUCED BY: MR. CORBIN

SECONDED BY: MR. LAUGHLIN

ON THE 1ST DAY OF MAY, 2025

ORDINANCE TO AMEND ST. TAMMANY PARISH CODE OF ORDINANCES,
PART I – CODE OF ORDINANCES, CHAPTER 24 – MOTOR VEHICLES AND
TRAFFIC, ARTICLE II – OPERATION, TO ADD SECTION 24-41 RELATIVE TO
TRAFFIC REGULATION IN SCHOOL ZONES AND STUDENT TRANSFER AREAS.

WHEREAS, St. Tammany Parish Government has the authority to exercise its police power to enforce traffic regulations in the interest of public health, safety, and welfare pursuant to Louisiana Constitution Article VI, § 5 and Louisiana Revised Statute § 33:1236(28); and,

WHEREAS, the safety of students in our Parish arriving to and leaving school is of utmost importance to all citizens of St. Tammany Parish; and,

WHEREAS, the Parish has adopted the Louisiana Highway pursuant to the authority conveyed by Louisiana Revised Statute § 32:42; and,

WHEREAS, in addition to the traffic regulations currently enforced by the Parish, the St. Tammany Parish School Board has requested by resolution that certain enhanced regulations be extended to apply in school zones and student transfer areas, such as car lines and pedestrian crossing areas, to ensure the safety of students arriving to and departing from campus; and,

WHEREAS, distracted driving caused by the use of wireless devices and the absence of proper child restraints create two primary areas of concern related to the safety of students arriving to and departing from campus and require enhanced regulation; and,

WHEREAS, St. Tammany Parish Government and St. Tammany Parish School Board aim to improve student safety to permit enforcement of these regulations in school zones and student transfer areas to the extent that the law does not currently permit enforcement of these violations.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that St. Tammany Parish Code of Ordinances, Part I – Code of Ordinances, Chapter 24 – Motor Vehicles and Traffic, Article II – Operation, be amended to add Sec. 24-41 entitled Traffic Regulation in School Zones and Student Transfer Areas, as follows:

Sec. 24-41. Traffic Regulation in School Zones and Student Transfer Areas.

- (a) Definitions. The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Access, read, or post to a social networking site means using a wireless telecommunications device to access, read, or post on such device to any web-based service that allows individuals to construct a profile within a bounded system, articulate a list of other users with whom they share a connection, and communicate with other members of the site.

Engage in a call means talking or listening on a wireless telecommunications device.

School zone is an area officially designated within a public roadway which is protected and is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone corresponding to the start time and end time of school sessions to provide enhanced regulation and safe passage of pedestrian and vehicular traffic to and from school.

Student transfer area is that part of a public roadway, whether on school property or not, where students are received to or dismissed from school in a vehicle, school bus, or as a pedestrian.

Wireless telecommunications device means a cellular telephone, a text-messaging device, a personal digital assistant, a stand-alone computer, or any other substantially similar wireless device that is readily removable from the vehicle and is used to write, send, or read text or data through manual input. A "wireless telecommunications device" shall not include any device or component that is permanently affixed to a motor vehicle. It does not include a hands-free wireless telephone, an electronic communication device used hands-free, citizens band radios, citizens band radio hybrids, commercial two-way radio communications devices, two-way radio transmitters or receivers used by licensees of the Federal Communication Commission in the Amateur Radio Service, or electronic communication devices with a push-to-talk function.

Write, send, or read a text-based communication means using a wireless telecommunications device to manually communicate with any person by using a text-based communication including but not limited to a text message, instant message, or electronic mail.

(b) Use of wireless telecommunications devices in school zones and student transfer areas prohibited; exceptions.

(1) Except as provided in Subsection (2) of this Section, no person shall operate any wireless telecommunications device while operating a motor vehicle upon any public road during the posted hours within a school zone or student transfer area. Operating a wireless telecommunications device shall include:

- a. Engaging in a call.
- b. Writing, sending, or reading a text-based communication.
- c. Accessing, reading, or posting to a social networking site.

(2) The provisions of Subsection (1) of this Section shall not apply to a person who uses a wireless telecommunications device and does any of the following:

- a. Reports a traffic collision, medical emergency, or serious road hazard.
- b. Reports a situation in which the person believes his personal safety is in jeopardy.
- c. Reports or averts the perpetration or potential perpetration of a criminal act against the driver or another person.
- d. Operates a wireless telecommunications device while the motor vehicle is lawfully parked.
- e. Uses a wireless telecommunications device in an official capacity as an operator of an authorized emergency vehicle.

(c) Child passenger restraints required.

- (1) Any child transported in a vehicle within a school zone or student transfer area shall be properly restrained pursuant to the requirements in Louisiana Revised Statute 32:295.
- (2) The exceptions applicable to child passenger restraints in Louisiana Revised Statute 32:295 shall be applicable herein.

(d) Violation and penalty. Whoever shall violate any provision of this section shall be fined \$100.00 plus court costs in the amount specified by the 22nd Judicial District Court costs schedule according to the violation. For second and subsequent convictions, the violator shall be fined \$500.00 plus court costs in the amount specified by the 22nd Judicial District Court costs schedule according to the violation.

REPEAL: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SEVERABILITY: If any provision of this Ordinance shall be held to be invalid, such invalidity shall not affect other provisions herein which can be given effect without the invalid provision and to this end the provisions of this Ordinance are hereby declared to be severable.

EFFECTIVE DATE: This Ordinance shall become effective fifteen (15) days after adoption.

MOVED FOR ADOPTION BY: _____ SECONDED BY: _____

WHEREUPON THIS ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:

YEAS:

NAYS:

ABSTAIN:

ABSENT:

THIS ORDINANCE WAS DECLARED DULY ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE 1ST DAY OF JUNE, 2025; AND BECOMES ORDINANCE COUNCIL SERIES NO. 25-.

JOE IMPASTATO, COUNCIL CHAIR

ATTEST:

KATRINA L. BUCKLEY, COUNCIL CLERK

MICHAEL B. COOPER, PARISH PRESIDENT

Published Introduction: APRIL 23, 2025

Published Adoption: _____, 2025

Delivered to Parish President: _____, 2025 at _____

Returned to Council Clerk: _____, 2025 at _____