



LIZ MURRILL
ATTORNEY GENERAL

STATE OF LOUISIANA
DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL
P.O. BOX 94005
BATON ROUGE, LA
70804-9005

May 14, 2024
OPINION 24-0028

Senator Stewart A. Cathey, Jr.
7268 Hwy. 165 North, Ste. 209
Monroe, LA 71203

Dear Senator Cathey:

60 LAW OFFICERS – Authority & Jurisdiction

La. R.S. 32:1, et seq. La. R.S. 32:45
La. R.S. 32:43 La. R.S. 32:365

Louisiana Revised Statute 365(B) permits law enforcement officers to utilize video recording equipment and monitors in their vehicles for issuing traffic citations at the time of the offense. However, the statute prohibits the use of such equipment for issuing traffic citations by mail at a later date.

You requested the opinion of this office regarding whether La. R.S. 32:365(B) prohibits law enforcement officers from using video recording equipment for the purpose of monitoring, recording, and issuing a traffic violation. As we explain further below, we find that the statute permits law enforcement officers to use video recording equipment and monitors in their vehicles for the purpose of issuing traffic citations at the time of the offense. However, the statute explicitly prohibits the use of such equipment to record vehicles in violation of traffic safety laws in order to mail traffic citations at a later date.

Louisiana Revised Statute 32:365(B) provides:

Law enforcement officers of the state or any political subdivision thereof shall be authorized to operate video recording equipment and monitors in their law enforcement vehicles while in the performance of their duties. However, this provision shall not be construed to allow law enforcement officers to record vehicles in violation of traffic safety laws with citations for such violations to be mailed to the alleged violator at a later date.

Louisiana Revised Statute 32:365(A) is a general provision prohibiting a person from driving a motor vehicle equipped with a television when the moving images are visible to the driver while the vehicle is in motion. Louisiana Revised Statute 365(B) operates as an exception to the general prohibition in the statute in favor of law enforcement officers; however, the last sentence of Section B qualifies this exception to make clear that the exception should not be interpreted as an authorization for law enforcement officers to utilize video recording equipment to record traffic violations to be mailed to the alleged offender at a later time.

Louisiana Revised Statute 32:365(B) prohibits law enforcement officers from using video recording equipment or monitors in their law enforcement vehicles for the purpose of recording traffic violations where a citation is to *be mailed to the alleged offender at a later date*. However, this statute does not prevent law enforcement officers from using video

recording equipment and monitors in their law enforcement vehicles to issue a traffic citation to the offender at the time of the offense. Traffic citations that are mailed to the alleged offender at a later date are typically characterized as civil administrative violations,¹ and this method of issuing citations for traffic violations may be utilized by local or municipal authorities pursuant to the Louisiana Highway Regulatory Act² by the use of mobile speed cameras or automated speed enforcement devices.³

Considering the foregoing, it is the opinion of this office that La. R.S. 32:365(B) permits law enforcement officers to utilize video recording equipment and monitors in their vehicles for issuing traffic citations at the time of the offense. However, La. R.S. 32:365(B) prohibits the use of such equipment for issuing traffic citations by mail at a later date.

We trust this adequately responds to your request. However, if our office can be of further assistance, please do not hesitate to contact us.

With best regards,

LIZ MURRILL
ATTORNEY GENERAL

BY: 
Amanda M. LaGroue
Assistant Attorney General

LM:AML

¹ See La. Atty. Gen. Op. No. 11-0152.

² La. R.S. 32:1, et seq.

³ Louisiana Revised Statute 32:45(C) defines mobile speed camera as "a device designed to collect photographic or video evidence of an alleged violation of a posted speed limit by recording images that depict the license plate or other identifying feature of a motor vehicle that is not operated in compliance with a posted speed limit sign." Louisiana Revised Statute 32:43(B) defines automated speed enforcement devices as "an unmanned or handheld camera or optical device installed to work in conjunction with a traffic control signal or radar speed detection equipment, or both, and designed to collect photographic evidence of alleged traffic violations for the issuance of traffic citations by recording images that depict the license plate or other identifying feature of a motor vehicle not in compliance with instruction of a traffic control signal or posted traffic sign."