



17 (1) Such person depositing a cash bond in the amount of the fines and penalties for any unpaid  
18 parking citations (including the citation, if any, for which the vehicle was towed) recorded  
19 against such vehicle plus any towing, immobilization or storage fees; or

20 (2) Such person (but only if he is the same person charged with the parking citation) signing and  
21 executing a form prepared by the department of law for the purpose of waiving his right to a  
22 hearing, admitting liability for the parking offense charged, agreeing to and paying the parking  
23 fines, towing fee and storage fees or immobilization fee incurred for the period of  
24 impoundment or immobilization. The person duly authorized to collect parking fines, towing,  
25 immobilization, and storage fees is hereby authorized to accept such waivers of hearing and  
26 pleas of guilty to the offenses charged for entering of same in the proper court of competent  
27 jurisdiction, and such person shall be authorized to collect all such fines and fees and issue  
28 receipts therefore to the person making payment of same.

29 (c) If the person whose vehicle has been immobilized or impounded deposits a bond as provided in  
30 subsection (b)(1), such person shall be issued a notice to appear for hearing in accordance with the  
31 provisions of this article in the same manner and under the same procedures employed for any  
32 violation. Any person whose vehicle has been impounded or immobilized under the provisions of  
33 this section and desires an expedited hearing shall be afforded such a hearing within three business  
34 days of his written request therefore.

35 (d) [Forfeiture of bond.] If a person whose vehicle has been immobilized or impounded deposits a  
36 bond as provided in subsection (b)(1), such a bond will be subject to forfeiture if he fails to pay the  
37 fines and/or penalties assessed by the parking adjudication bureau within six months after such  
38 assessment. If such fee is deposited in the form of a bond and the responsible person is found not  
39 liable for all parking citations for which the vehicle was immobilized or impounded, such bond  
40 will be returned to the depositor or his agent.

41 (e) [Violations.] The purpose of this section is to provide for immobilization, impoundment by

42 immobilization, and removal and/or impoundment of unoccupied vehicles when in violation of the  
43 following sections of chapter 34 and this chapter: section 34-19; section 34-20; section 154-861;  
44 section 154-864; section 154-866; section 154-868; section 154-869; section 154-870; section 154-  
45 874; section 154-875; section 154-876; section 154-877.1; section 154-878; section 154-923;  
46 section 154-925; section 154-973; section 154-975; section 154-976; section 154-977; section 154-  
47 978; section 154-979; section 154-1031; section 154-1032; section 154-1035; section 154-1036;  
48 and section 154-1043.

49 (f) Towing, storage, and immobilization rates. The department shall collect fees for towing and  
50 storage, including, but not limited to, administrative fees and gate fees, at the rates established  
51 annually by the Louisiana Public Service Commission and published in its Schedule of Prescribed  
52 Rates and Requirements for Non-Consensual Towing and Recovery Services. The department shall  
53 collect an immobilization fee of 75% of the minimum non-consensual towing rate for the  
54 applicable vehicle weight rating as published in the Schedule named in this section, rounded up to  
55 the nearest dollar.

56 (g) If any vehicle, other than truck tractors, semitrailers, boats, buses, school buses, freight-carrying  
57 vehicles, trailers, tow trucks or dump trucks, dual-axle or tandem-axle is impounded, such vehicle  
58 shall be assessed a towing fee in accordance with this section and, after the first 24 hours, a storage  
59 fee shall be incurred in accordance with this section, together with such fine as may be imposed in  
60 accordance with the law.

61 (h) If a truck tractor, semitrailer, boat, bus, school bus, freight-carrying vehicle, trailer, tow truck or  
62 dump truck, dual-axle or tandem-axle is impounded, such vehicle shall be assessed a towing fee in  
63 accordance with this section and, after the first 24 hours, a storage fee shall be incurred in  
64 accordance with this section, together with such fine as may be imposed in accordance with law.

65 (i) The purpose of this section is to provide for the impoundment through immobilization of  
66 unoccupied oversized vehicles when in violation of the following sections of [chapter 34 and] this

67 chapter: Section 34-19; section 34-20; section 154-861; section 154-866; section 154-868; section  
68 154-869; section 154-870; section 154-874; section 154-875; section 154-877.1; section 154-923;  
69 section 154-925; section 154-973; section 154-975; section 154-976; section 154-977; section 154-  
70 978; section 154-979; section 154-1031; section 154-1035; and section 154-1043.

71 (j) If any vehicle, other than truck tractors, semitrailers, boats over 18 feet, buses, school buses,  
72 freight-carrying vehicles, trailers, tow trucks or dump trucks, is impounded through  
73 immobilization, such vehicle shall be assessed a towing fee in accordance with this section and,  
74 after the first 24 hours, a storage fee shall be incurred in accordance with this section, together with  
75 such fine as may be imposed in accordance with law. If a truck tractor, semitrailer, boat, bus, school  
76 bus, freight-carrying vehicle, trailer, tow truck or dump truck is impounded through immobilization  
77 as provided for in subsection (i), such vehicle shall be assessed a towing fee in accordance with  
78 this section and, after the first 24 hours, a storage fee shall be incurred in accordance with this  
79 section, together with such fine as may be imposed in accordance with law.”

**ADOPTED BY THE COUNCIL OF THE CITY OF NEW ORLEANS** \_\_\_\_\_

\_\_\_\_\_  
**PRESIDENT OF THE CITY COUNCIL**

**DELIVERED TO THE MAYOR ON** \_\_\_\_\_

**APPROVED:**

**DISAPPROVED:** \_\_\_\_\_

\_\_\_\_\_  
**MAYOR**

**RETURNED BY THE MAYOR ON** \_\_\_\_\_ **AT** \_\_\_\_\_

\_\_\_\_\_  
**CLERK OF COUNCIL**

**ROLL CALL VOTE:**

**YEAS:**

**NAYS:**

**ABSENT:**

**RECUSED:**

**REDLINE VERSION:**

**Sec. 154-777. – Unoccupied vehicle in violation of law.**

- (a) Any unoccupied vehicle found on a street or highway against which there is a recorded and unpaid delinquent parking citation issued under the authority of this article shall be immediately immobilized or towed and impounded, or both, by any police officer or other person duly authorized.
- (b) Such vehicle shall be surrendered or released only to the duly registered owner of such vehicle or his agent thereof upon:
  - (1) Such person depositing a cash bond in the amount of the fines and penalties for any unpaid parking citations (including the citation, if any, for which the vehicle was towed) recorded against such vehicle plus any towing, immobilization or storage fees; or
  - (2) Such person (but only if he is the same person charged with the parking citation) signing and executing a form prepared by the department of law for the purpose of waiving his right to a hearing, admitting liability for the parking offense charged, agreeing to and paying the parking fines, towing fee and storage fees or immobilization fee incurred for the period of impoundment or immobilization. The person duly authorized to collect parking fines, towing, immobilization, and storage fees is hereby authorized to accept such waivers of hearing and pleas of guilty to the offenses charged for entering of same in the proper court of competent jurisdiction, and such person shall be authorized to collect all such fines and fees and issue receipts therefore to the person making payment of same.
- (c) If the person whose vehicle has been immobilized or impounded deposits a bond as provided in subsection (b)(1), such person shall be issued a notice to appear for hearing in accordance with the provisions of this article in the same manner and under the same procedures employed for any violation. Any person whose vehicle has been impounded or immobilized under the provisions of this section and desires an expedited hearing shall be afforded such a hearing within three business days of his written request therefore.
- (d) [Forfeiture of bond.] If a person whose vehicle has been immobilized or impounded deposits a bond as provided in subsection (b)(1), such a bond will be subject to forfeiture if he fails to pay the fines and/or penalties assessed by the parking adjudication bureau within six months after such assessment. If such fee is deposited in the form of a bond and the responsible person is found not liable for all parking citations for which the vehicle was immobilized or impounded, such bond will be returned to the depositor or his agent.
- (e) [Violations.] The purpose of this section is to provide for immobilization, impoundment by immobilization, and removal and/or impoundment of unoccupied vehicles when in violation of the following sections of chapter 34 and this chapter: section 34-19; section 34-20; section 154-861; section 154-864; section 154-866; section 154-868; section 154-869; section 154-870; section 154-874; section 154-875; section 154-876; section 154-877.1; section 154-878; section 154-923; section 154-925; section 154-973; section 154-975; section 154-976; section 154-977; section 154-978; section 154-979; section 154-1031; section 154-1032; section 154-1035; section 154-1036; and section 154-1043.

- (f) Towing, ~~immobilization, and storage,~~ **and immobilization** rates. The department shall collect fees for ~~immobilization,~~ towing, and storage, including, but not limited to, administrative fees and gate fees, at the rates established annually by the Louisiana Public Service Commission and published in its Schedule of Prescribed Rates and Requirements for Non-Consensual Towing and Recovery Services. **The department shall collect an immobilization fee of 75% of the minimum non-consensual towing rate for the applicable vehicle weight rating as published in the Schedule named in this section, rounded up to the nearest dollar.**
- (g) If any vehicle, other than truck tractors, semitrailers, boats, buses, school buses, freight-carrying vehicles, trailers, tow trucks or dump trucks, dual-axle or tandem-axle is impounded, such vehicle shall be assessed a towing fee in accordance with this section and, after the first 24 hours, a storage fee shall be incurred in accordance with this section, together with such fine as may be imposed in accordance with the law.
- (h) If a truck tractor, semitrailer, boat, bus, school bus, freight-carrying vehicle, trailer, tow truck or dump truck, dual-axle or tandem-axle is impounded, such vehicle shall be assessed a towing fee in accordance with this section and, after the first 24 hours, a storage fee shall be incurred in accordance with this section, together with such fine as may be imposed in accordance with law.
- (i) The purpose of this section is to provide for the impoundment through immobilization of unoccupied oversized vehicles when in violation of the following sections of [chapter 34 and] this chapter: Section 34-19; section 34-20; section 154-861; section 154-866; section 154-868; section 154-869; section 154-870; section 154-874; section 154-875; section 154-877.1; section 154-923; section 154-925; section 154-973; section 154-975; section 154-976; section 154-977; section 154-978; section 154-979; section 154-1031; section 154-1035; and section 154-1043.
- (j) If any vehicle, other than truck tractors, semitrailers, boats over 18 feet, buses, school buses, freight-carrying vehicles, trailers, tow trucks or dump trucks, is impounded through immobilization, such vehicle shall be assessed a towing fee in accordance with this section and, after the first 24 hours, a storage fee shall be incurred in accordance with this section, together with such fine as may be imposed in accordance with law. If a truck tractor, semitrailer, boat, bus, school bus, freight-carrying vehicle, trailer, tow truck or dump truck is impounded through immobilization as provided for in subsection (i), such vehicle shall be assessed a towing fee in accordance with this section and, after the first 24 hours, a storage fee shall be incurred in accordance with this section, together with such fine as may be imposed in accordance with law.