

DECLARATION OF EMERGENCY

Department of Public Safety and Corrections
Office of State Police
Weights & Standards
(LAC 55:L Chapter 23)

In accordance with the emergency provisions of the Administrative Procedures Act, R.S. 49:953 B, and R.S. 32:384 the Office of State Police is declaring an emergency due to the public safety hazard posed by the inadequacy of safety chains to maintain control of a trailer which has become disconnected from the vehicle pulling it. This hazard has resulted in serious injury and death as a result of these disconnected trailers striking other vehicles on Louisiana roads and highways. The Legislature has statutorily provided (at R.S. 32:384 E) for a safety device which would serve as an alternative to safety chains, but such statute requires the promulgation of a rule by the Office of the State Police which would outline the process for approval of such a device.

The following rule was inadvertently deleted from a previously promulgated chapter concerning the Weights and Standards Mobile Police Force. The built-in time periods for promulgation of this rule would create an unacceptable delay in approving such safety device. The immediate promulgation of this rule would allow for a more timely approval of such a safety device, which in turn, could save lives. The effective date of this Emergency Rule is December 8, 2000, and it shall be in effect for 120 days or until the final rule takes effect through normal promulgation process, whichever occurs first.