

2020 Regular Session

HOUSE BILL NO. 492

BY REPRESENTATIVE MCFARLAND

INSURANCE/AUTOMOBILE: Provides relative to the reduction of commercial automobile insurance rates under certain circumstances

1 AN ACT

2 To enact R.S. 22:1457.1, relative to commercial motor vehicle insurance; to provide for rate  
3 reductions in certain circumstances; to provide for certain equipment on commercial  
4 motor vehicles; to provide for defensive driving training; to provide for liability  
5 limitations; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 22:1457.1 is hereby enacted to read as follows:

8 §1457.1. Discounts; rate reductions; commercial automobile insurance

9 A. A rate reduction of thirty-five percent shall be authorized by the  
10 commissioner upon application of a rate filing by the carrier of commercial motor  
11 vehicle liability and physical damage insurance where the insured and principal  
12 operator, regardless of age, produces the following:

13 (1) Certification from the National Safety Council or its registered  
14 cooperating agencies evidencing the successful completion of the National Safety  
15 Council Defensive Driving Course or certification of successful completion of a  
16 defensive driving course approved and certified by the Department of Public Safety  
17 and Corrections. Should the automobile be used by multiple drivers, the rate  
18 reduction shall not be authorized on that automobile unless all those who drive the  
19 automobile complete such a course successfully.

1           (2) Evidence that the insured vehicle is equipped with driver feedback and  
2           video safety monitoring equipment and mounted immediately behind, slightly above  
3           or slightly below the rearview mirror or on the dashboard of the insured vehicle in  
4           a way as to not obstruct or reduce the driver's clear view through the front windshield  
5           or front side mirrors.

6           (3) Evidence that the insured vehicle is equipped with a global positioning  
7           system or navigation system that is capable of recording vehicle data such as speed  
8           and location.

9           B. Insured and insurers of commercial motor vehicle liability and damage  
10          insurance who comply with Subsection A of this Section shall be subject to a liability  
11          limitation where the total amount recoverable for all damages for personal injury by  
12          one person, including all claims and derivative claims, exclusive of property  
13          damages, medical and related benefits and loss of earnings, and loss of future  
14          earnings, shall not exceed five hundred thousand dollars plus interest and costs,  
15          regardless of the number of suits filed or claims made for the personal injury to that  
16          person.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 492 Original

2020 Regular Session

McFarland

**Abstract:** Provides for mandatory rate reduction for commercial automobile insurance carriers who complete defensive driving courses and install cameras and other equipment. Provides for a \$500,000 damage limitation.

Proposed law provides a 35% rate reduction for commercial automobile insurance carriers where the insured and principal operator complete a defensive driving course, install dashboard or windshield cameras, and install global positioning and navigation systems.

Proposed law provides a \$500,000 damage limitation for insurers and insureds who comply with these provisions.

(Adds R.S. 22:1457.1)