

2019 Regular Session

HOUSE BILL NO. 51

BY REPRESENTATIVE HUVAL

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

EVIDENCE: Provides relative to the admissibility of evidence for failure to wear a safety belt

1 AN ACT

2 To amend and reenact R.S. 32:295.1(E), relative to the requirement to wear safety belts
3 while operating a motor vehicle; to provide for the introduction of evidence of the
4 failure to wear a safety belt under certain circumstances; to provide for exceptions;
5 and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 32:295.1(E) is hereby amended and reenacted to read as follows:

8 §295.1. Safety belt use; tags indicating exemption

9 * * *

10 E. In any action to recover damages arising out of the ownership, common
11 maintenance, or operation of a motor vehicle, except when the operator or passenger
12 of the motor vehicle is under the age of sixteen years, failure to wear a safety belt in
13 violation of this Section ~~shall not~~ may be considered evidence of comparative
14 negligence: and damages, except when the tortfeasor is charged with a violation of
15 R.S. 14:98 or an ordinance of a political subdivision prohibiting operation of any
16 vehicle or means of transportation or conveyance while intoxicated, impaired, or
17 while under the influence of alcohol, drugs, or any controlled dangerous substance.

