

2020 Regular Session

SENATE BILL NO. 338

BY SENATOR WARD

EVIDENCE. Provides relative to admissibility of certain evidence regarding failure to wear a safety belt. (8/1/20)

1 AN ACT

2 To enact Code of Evidence Art. 416, and to repeal R.S. 32:295.1(E), relative to civil liability
3 and damages; to provide relative to certain evidence regarding failure to wear a
4 safety belt; to provide for certain terms and conditions; and to provide for related
5 matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. Code of Evidence Article 416 is hereby enacted to read as follows:

8 **Art. 416. Wearing a safety belt**

9 **In any action to recover damages arising out of the ownership, common**
10 **maintenance, or operation of a motor vehicle, failure to wear a safety belt in**
11 **violation of law may be considered as evidence of comparative negligence. The**
12 **admissibility of such evidence shall be determined by the court out of the**
13 **hearing of the jury.**

14 Section 2. R.S. 32:295.1(E) is hereby repealed.

