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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Xavier I. Alexander.

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SB 338 Original	DIGEST 2020 Regular Session	Ward
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Present law provides certain requirements for wearing of safety belts.

Present law further provides that in any action to recover damages arising out of the ownership, common maintenance, or operation of a motor vehicle, failure to wear a safety belt in violation of present law shall not be considered evidence of comparative negligence. Further provides that failure to wear a safety belt in violation of present law shall not be admitted to mitigate damages.

Proposed law repeals present law provisions, and adds as new Code of Evidence Article that in any action to recover damages arising out of the ownership, common maintenance, or operation of a motor vehicle, failure to wear a safety belt in violation of law may be considered evidence of comparative negligence. The admissibility of such evidence shall be determined by the court out of the hearing of the jury.

Effective August 1, 2020.

(Adds C.E. Art. 416; repeals R.S. 32:295.1(E))