
SENATE COMMITTEE AMENDMENTS

2020 Regular Session

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original Senate Bill No. 50 by Senator McMath

1 AMENDMENT NO. 1

2 On page 1, line 2, delete "R.S. 32:289.1,"

3 AMENDMENT NO. 2

4 On page 1, delete lines 3 through 6 and insert " R.S. 32:300.6, 300.7, and 300.8, relative to
5 the prohibition of the use of certain wireless telecommunications devices while operating
6 a motor vehicle; to provide for definitions; to provide for exceptions and penalties relative
7 to the use of certain wireless telecommunications devices while operating a motor vehicle;
8 and to provide for related matters."

9 AMENDMENT NO. 3

10 On page 1, line 16, delete "**handheld**"

11 AMENDMENT NO. 4

12 On page 1, line 17, after "prohibited;" delete "**definitions;**"

13 AMENDMENT NO. 5

14 On page 4, line 8, delete "**phone numbers to initiate a call.**" and insert "**telephone**
15 **numbers to initiate a voice transmission, except when using a hands-free wireless**
16 **telephone.**"

17 AMENDMENT NO. 6

18 On page 4, delete lines 9 through 14

19 AMENDMENT NO. 7

20 On page 4, line 15, delete "**(4)**" and insert "**(3)**"

21 AMENDMENT NO. 8

22 On page 4, line 16, after "**a stand-alone computer**" insert "**or other electronic device**"

23 AMENDMENT NO. 9

24 On page 4, line 17, after "**similar**" insert "**portable**"

25 AMENDMENT NO. 10

26 On page 4, line 20, after "**component**" delete "**that is**"

27 AMENDMENT NO. 11

28 On page 4, line 20, at the end of the line, after "**mean**" delete "**a**" and insert "**any**"

29 AMENDMENT NO. 12

30 On page 4, line 21, delete "**cellular telephone used hands-free, an electronic**
31 **communication**"

1 AMENDMENT NO. 13

2 On page 4, delete lines 27 through 29 and insert the following:

3 " **(4)"Write, send, or read a text-based communication" means using a text**
4 **message, instant message, or electronic mail, or other text-based application to**
5 **manually communicate with any person.**"

6 AMENDMENT NO. 14

7 On page 5, delete lines 1 through 7 and insert the following:

8 "**B.(1) Except as provided in Subsection C of this Section, no person shall**
9 **operate any wireless telecommunications device while operating a motor vehicle upon**
10 **any public road or highway.**

11 **(2) Operating a "wireless telecommunication device" shall mean any of the**
12 **following:"**

13 AMENDMENT NO. 15

14 On page 5, line 15, after "**feature of a**" and insert "**wireless telecommunications**"

15 AMENDMENT NO. 16

16 On page 5, between lines 16 and 17 insert the following:

17 "**(g) Holding or physically supporting a wireless telecommunications device in**
18 **either or both hands or with any part of the body, except for an earpiece or head phone**
19 **device or a device worn on the wrist to talk or listen during voice transmission.**"

20 AMENDMENT NO. 17

21 On page 6, line 3, after "**(d)**" delete the remainder of the line and insert "**View data or**
22 **images related to navigation of a motor vehicle using a hands-free global positioning**
23 **system.**"

24 AMENDMENT NO. 18

25 On page 6, line 5, after "**is**" delete "**lawfully parked.**" and insert "**lawfully stationary and**
26 **not in violation of any other law, except when an individual is using the**
27 **telecommunication device to write, send, or read a text based communication or using**
28 **the telecommunication device to access, read, or post to a social media website.**"

29 AMENDMENT NO. 19

30 On page 6, line 8, delete "**community**" and insert "**less than twenty-five dollars.**"

31 AMENDMENT NO. 20

32 On page 6, delete line 9

33 AMENDMENT NO. 21

34 On page 6, line 11, after "**dollars**" insert "**but not less than one hundred dollars**"

35 AMENDMENT NO. 22

36 On page 6, delete lines 12 through 19 and insert the following:

37 "**(c) The third violation shall be punishable by a fine of not more than three**
38 **hundred dollars but not less than one hundred dollars and shall include the suspension**
39 **of the person's driver's license for a period of thirty days.**

40 **(d) If the operator of a motor vehicle is involved in a crash at the time of the**
41 **violation that fine shall be equal to double the amount of the standard fine imposed in**
42 **this Subsection. The law enforcement officer investigating the crash shall indicate on**

1 **the written accident report that the operator of a motor vehicle was using a wireless**
2 **telecommunications device at the time of the crash.**"

3 AMENDMENT NO. 23

4 On page 6, line 22, delete "**and the alleged violator**" and insert "**in support of which the**
5 **operator of a motor vehicle**"

6 AMENDMENT NO. 24

7 On page 6, after line 23, insert the following:

8 "**(4) For any violation occurring before January 1, 2021, the law enforcement**
9 **officer shall only issue a written warning.**

10 **E. A law enforcement officer shall not do any of the following based solely on**
11 **a violation of this Section:**

12 **(1) Seize, search, view, or require the forfeiture of a wireless telecommunication**
13 **device.**

14 **(2) Search or request to search a motor vehicle, motor vehicle operator, or**
15 **passenger.**

16 **(3) Make a custodial arrest except upon a warrant issued for failure to appear**
17 **in court when summoned or for failure to pay an imposed fine.**"

18 AMENDMENT NO. 25

19 On page 6, delete line 24 and insert "Section 3. R.S. 32:300.6, 300.7, and 300.8 are hereby
20 repealed.