

2020 First Extraordinary Session

SENATE CONCURRENT RESOLUTION NO. 14

BY SENATOR ROBERT MILLS

LIABILITY. Suspends certain provisions of law relative to safety belt evidence. (Item #40)

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A CONCURRENT RESOLUTION

To suspend until sixty days after final adjournment of the 2021 Regular Session of the Legislature of Louisiana R.S. 32:295.1(E) relative to the exclusion of evidence of failure to wear a safety belt.

WHEREAS, Article III, Section 20 of the Constitution of Louisiana provides that only the legislature may suspend a law; and

WHEREAS, R.S. 32:295.1(E) provides that in actions to recover damages arising out of the ownership, common maintenance, or operation of a motor vehicle, failure to wear a safety belt is not admissible evidence of comparative negligence or to mitigate damages; and

WHEREAS, substantial revisions to R.S. 32:295.1(E) are required in order to achieve the goals of the Legislature of Louisiana concerning tort reform and lowering motor vehicle insurance premiums; and

WHEREAS, the purpose of this Resolution is to allow the Legislature of Louisiana additional opportunity to make necessary revisions to R.S. 32:295.1(E).

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana hereby suspends the provisions of R.S. 32:295.1(E).

BE IT FURTHER RESOLVED that this suspension shall become effective upon adoption of this Resolution and shall extend through the sixtieth day after final adjournment

1 of the 2021 Regular Session of the Legislature of Louisiana.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Carla S. Roberts.

DIGEST

SCR 14 Original

2020 First Extraordinary Session

Robert Mills

Effective through the 60th day following the 2021 Regular Session, suspends R.S. 32:295.1(E), which provides that the failure to wear a safety belt in violation of present law shall not be admitted to mitigate damages in any action to recover damages arising out of the ownership, common maintenance, or operation of a motor vehicle, and the failure to wear a safety belt in violation of present law shall not be considered evidence of comparative negligence or to mitigate damages.

(Suspends R.S. 32:295.1(E))