

2024 Regular Session

HOUSE BILL NO. 53

BY REPRESENTATIVE MACK

LIABILITY/TORTS: Provides a limitation of actions by passengers of motor vehicles

1 AN ACT

2 To enact R.S. 9:2792.10, relative to liability of the operator of a motor vehicle; to provide  
3 for a limitation of actions by passengers; to provide for exceptions; and to provide  
4 for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 9:2792.10 is hereby enacted to read as follows:

7 §2792.10. Limitation of actions; motor vehicle passengers

8 A. Notwithstanding any laws to the contrary, no person who is a voluntary  
9 passenger in a motor vehicle shall have a cause of action against the operator of that  
10 motor vehicle for any injury, loss, or damage resulting from any act or omission in  
11 transporting the passenger.

12 B. The provisions of this Section shall not apply to any injury, loss, or  
13 damage caused by:

14 (1) The willful or wanton misconduct or gross negligence of the operator of  
15 the motor vehicle.

16 (2) The intoxication of the operator while operating the motor vehicle which  
17 was a cause in fact of the resulting injuries.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 53 Original

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**Abstract:** Provides a limitation of actions for any injury, loss, or damage for operators of motor vehicles from actions by passengers.

Proposed law provides that a person who is a voluntary passenger in a vehicle shall not have a cause of action against the operator for any injury, loss, or damage resulting from the operator transporting the passenger.

Proposed law provides an exception for cases in which the operator was intoxicated or his willful or wanton misconduct caused the injuries.

(Adds R.S. 9:2792.10)