

SENATE BILL NO. 661

BY SENATOR ERDEY

1 AN ACT

2 To enact R.S. 32:155, relative to motor vehicles; to provide authority to remove vehicles,
3 cargo, or other personal property from roadways; to provide for reopening roadway
4 lanes during peak traffic hours; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 32:155 is hereby enacted to read as follows:

7 **§155. Authority to remove vehicles and cargo**

8 **A. As a result of a motor vehicle crash or incident, any police officer or**
9 **any person acting at the officer's direction or request may, without the consent**
10 **of the owner, immediately remove or have removed any vehicle, cargo, or other**
11 **movable property that has been damaged or spilled upon the roadway or**
12 **shoulder of the roadway which constitutes a hazard or obstructs traffic when**
13 **such removal will improve public health or safety and reduce crash- or incident-**
14 **related traffic congestion and delay.**

15 **B. When a motor vehicle crash or traffic incident occurs during peak**
16 **traffic hours, any police officer or any person acting at the officer's direction or**
17 **request shall take immediate action and give priority to opening all roadway**
18 **lanes to traffic so as to relieve traffic congestion and minimize delay to the**
19 **motoring public provided such action does not impair the protection of public**
20 **safety. For purposes of this Section, peak traffic hours shall be considered 7:00**
21 **a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m. on weekdays.**

22 **C. No liability shall attach to any police officer or to any person acting**
23 **under the officer's direction or request for damages to a vehicle, cargo, or other**
24 **movable property, that may result from the exercise or failure to exercise any**
25 **authority granted under this Section in the absence of gross negligence.**

1 **D. The provisions of this Section apply only to roadways in this state**
2 **included in the state and federal highway system.**

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____