

2018 Regular Session

SENATE BILL NO. 68

BY SENATOR CLAITOR

CRIME/PUNISHMENT. Provides relative to criminal damage to property caused by the wake of a vehicle during flood conditions. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 32:58(A), relative to careless operation of motor vehicles; to
3 provide that careless operation includes injury or damage caused by the wake created
4 by a motor vehicle during flood conditions; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 32:58(A) is hereby amended and reenacted to read as follows:

7 §58. Careless operation

8 A. Any person operating a motor vehicle on the public roads of this state
9 shall drive in a careful and prudent manner, so as not to endanger the life, limb, or
10 property of any person. Failure to drive in such a manner shall constitute careless
11 operation. **The application of this Section shall include the operation of a motor**
12 **vehicle in a manner that creates a wake during flood conditions.**

13 * * *

14 Section 2. This Act shall become effective upon signature by the governor or, if not
15 signed by the governor, upon expiration of the time for bills to become law without signature
16 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
17 vetoed by the governor and subsequently approved by the legislature, this Act shall become

1 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Alden A. Clement Jr.

DIGEST

SB 68 Engrossed

2018 Regular Session

Claitor

Present law provides that any person operating a motor vehicle on the public roads of this state is to drive in a careful and prudent manner, so as not to endanger the life, limb, or property of any person. Present law further provides that failure to drive in such a manner constitutes careless operation.

Proposed law retains present law and adds that present law relative to careless operation includes the operation of a motor vehicle in a manner that creates a wake during flood conditions.

Present law provides that a first violation of present law is punishable by a fine of up to \$175, or imprisonment for up to 30 days, or both. Present law provides that a subsequent violation is punishable by a fine of up to \$500, imprisonment for up to 90 days, or both.

Proposed law retains present law.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 32:58(A))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary C to the original bill

1. Delete proposed law relative to careless operation of a watercraft.