
DIGEST

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HB 792 Original

2018 Regular Session

Gregory Miller

Abstract: Authorizes an award of exemplary damages in actions where the injuries were caused by a defendant who was using a wireless telecommunications device while operating a motor vehicle.

Present law (R.S. 32:300.5) prohibits a person from operating any motor vehicle upon any public road or highway of this state while using a wireless telecommunications device to write, send, or read a text-based communication or while using a wireless telecommunications device to access, read, or post to a social networking site.

Present law (R.S. 32:300.6-300.8) prohibits, with certain exceptions, the use of a wireless telecommunications device in any manner while driving by a person who holds a Class "E" learner's license or intermediate license, by a minor, and by a person operating a motor vehicle in a school zone.

Proposed law authorizes an award of exemplary damages in actions where the injuries were caused by a wanton or reckless disregard for the rights and safety of others by a defendant who was using a wireless telecommunications device while operating a motor vehicle on a public road or highway of this state in violation of present law (R.S. 32:300.5-300.8), and such violation was a cause in fact of the resulting injuries.

(Adds C.C. Art. 2315.10)