

SENATE BILL NO. 68

BY SENATOR CLAITOR

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AN ACT

To enact R.S. 32:58.1, relative to careless operation of motor vehicles; to provide relative to careless operation during flood conditions; to provide relative to injury or damage caused by the wake created by a motor vehicle during flood conditions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 32:58.1 is hereby enacted to read as follows:

§58.1. Careless operation during flood conditions

A. Any person operating a motor vehicle on the public roads of this state during flood conditions shall drive in a careful and prudent manner, so as not to create a wake that endangers the life, limb, or property of any person. Failure to drive in such a manner shall constitute careless operation during flood conditions.

B. There shall be a rebuttable presumption that the following persons were operating a motor vehicle in a careful and prudent manner during flood conditions:

(1) Any person operating a vehicle owned or operated by a public utility, whether publicly or privately owned, while acting in the course and scope of his employment or agency relating to the operation, repair, or maintenance of a facility, servitude, or any property owned by the utility.

(2) Any person operating a military, law enforcement, or emergency services vehicle while acting in the course and scope of his employment or official duties.

1 Section 2. This Act shall become effective upon signature by the governor or, if not
2 signed by the governor, upon expiration of the time for bills to become law without signature
3 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
4 vetoed by the governor and subsequently approved by the legislature, this Act shall become
5 effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____