
DIGEST

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HB 132 Engrossed

2019 Regular Session

Crews

Abstract: Extends the postaccident drug testing requirement to accidents involving serious bodily injury.

Present law requires the operator of any motor vehicle or watercraft involved in a collision, crash, or other casualty in which a fatality occurs be administered a chemical test or tests of his blood, urine, or other bodily substance for the purposes of determining the presence of any abused or controlled dangerous substance.

Proposed law extends this requirement to the operator of any motor vehicle or watercraft involved in a collision, crash, or other casualty in which a serious bodily injury occurs.

Present law requires the test or tests be administered at the direction of a law enforcement officer having reasonable grounds to believe the person driving or in actual physical control of a motor vehicle or watercraft involved in a collision, crash, or other casualty in which a fatality occurs.

Proposed law extends this requirement to the person driving or in actual physical control of a motor vehicle or watercraft involved in a collision, crash, or other casualty in which a serious bodily injury occurs to determine the presence of any abused substance or controlled dangerous substance.

Proposed law defines "serious bodily injury" as a bodily injury which involves a period of protracted unconsciousness, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty, or a substantial risk of death.

(Amends R.S. 32:681(Section heading), (A), and (B); Adds R.S. 32:681(E))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Transportation, Highways and Public Works to the original bill:

1. Modifies the definition of "serious bodily injury" by removing "unconsciousness and extreme physical pain" and adding "a period of protracted unconsciousness".