

2020 Regular Session

HOUSE BILL NO. 787

BY REPRESENTATIVE STEFANSKI

TRANSPORTATION: Provides relative to transportation network companies

1 AN ACT

2 To enact R.S. 48:2206, relative to transportation network companies; to provide relative to
3 an exception to liability applicable to transportation network companies under
4 certain circumstances; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 48:2206 is hereby enacted to read as follows:

7 §2206. Liability

8 A. A transportation network company shall not be held liable for owning,
9 operating, or maintaining the digital network accessed by a driver or rider, or for
10 being the company affiliated with a driver, when harm to a person or property results
11 from or arises out of the use, operation, or possession of a motor vehicle operating
12 as a company vehicle while the driver is logged on to the digital network if all of the
13 following apply:

14 (1) There is no negligence or criminal wrongdoing on the part of the
15 company.

16 (2) The company fulfilled all of its obligations relative to a driver as required
17 by this Chapter.

18 (3) The company is not the owner or custodian of the motor vehicle that
19 caused harm to persons or property.

1 B. The provisions of this Section shall not be construed to modify or reduce
 2 the insurance coverages, policy limits, or liability of any person as established by
 3 contract or as required by any provision of law.

4 C. The provisions of this Section shall not be construed to place any form of
 5 liability on the state of Louisiana or the Louisiana Department of Transportation and
 6 Development if the state or the department comply with the applicable requirements
 7 of this Chapter.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 787 Engrossed

2020 Regular Session

Stefanski

Abstract: Provides an exception to liability applicable to transportation network companies.

Proposed law establishes that a transportation network company cannot be held liable for owning, operating, or maintaining the digital network accessed by a driver or rider, or for being the company affiliated with a driver, when harm to a person or property results from or arises out of the use, operation, or possession of a motor vehicle operating as a company vehicle while the driver is logged on to the digital network if all of the following apply:

- (1) There is no negligence or criminal wrongdoing on the part of the company.
- (2) The company fulfilled all of its obligations relative to a driver as required by present law.
- (3) The company is not the owner or custodian of the motor vehicle that caused harm to persons or property.

Proposed law clarifies that proposed law cannot be construed to modify or reduce the insurance coverages, policy limits, or liability of any person as established by contract or as required by present law.

Proposed law exempts the state and the Dept. of Transportation and Development from liability if the state or the department, respectively, comply with applicable provisions of present law.

(Adds R.S. 48:2206)

Summary of Amendments Adopted by House

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

1. Exempt the state and the Dept. of Transportation and Development from liability if the state or the department comply with applicable provisions of present law.