

(KEYWORD, SUMMARY, AND DIGEST as amended by Senate committee amendments)

CRIME/HOMICIDE: Provides relative to the careless operation of a motor vehicle

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DIGEST

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

Present law (R.S. 32:57) provides for the following penalties for careless operation of a motor vehicle:

- (1) First violation - A fine of not more than \$175, imprisonment for not more than 30 days, or both.
- (2) A subsequent violation - A fine of not more than \$500, imprisonment for not more than 90 days, or both.

Proposed law retains present law and provides that when the careless operation of a motor vehicle proximately or directly causes the death of human being when the operator fails to maintain control of the motor vehicle because of falling asleep, the operator shall be ordered to serve 250 hours of court-approved community service and the operator's driver's license may be suspended for a period of two years.

(Amends R.S. 32:58; Adds R.S. 32:414(W))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill.

- 1. Deleted proposed law provision which creates the crime of involuntary vehicular homicide.
- 2. Added provision which amends the present law prohibition on careless operation of a motor vehicle to provide additional penalties for commission of such offense when the operator fails to maintain control of the motor vehicle by falling asleep and results in the death of a human being.

House Floor Amendments to the engrossed bill.

- 1. Made technical corrections.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary B to the reengrossed bill

- 1. Changes from mandatory to permissive the suspension of the operator's license.