

SENATE BILL NO. 661

BY SENATOR ERDEY

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AN ACT

To enact R.S. 32:155, relative to motor vehicles; to provide authority to remove vehicles, cargo, or other personal property from roadways; to provide for reopening roadway lanes during peak traffic hours; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 32:155 is hereby enacted to read as follows:

§155. Authority to remove vehicles and cargo

A. As a result of a motor vehicle crash or incident, any police officer or any person acting at the officer's direction or request may, without the consent of the owner, immediately remove or have removed any vehicle, cargo, or other movable property that has been damaged or spilled upon the roadway or shoulder of the roadway which constitutes a hazard or obstructs traffic when such removal will improve public health or safety and reduce crash- or incident-related traffic congestion and delay.

B. When a motor vehicle crash or traffic incident occurs during peak traffic hours, any police officer or any person acting at the officer's direction or request shall take immediate action and give priority to opening all roadway lanes to traffic so as to relieve traffic congestion and minimize delay to the motoring public provided such action does not impair the protection of public safety. For purposes of this Section, peak traffic hours shall be considered 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m. on weekdays.

C. No liability shall attach to any police officer or to any person acting under the officer's direction or request for damages to a vehicle, cargo, or other movable property, that may result from the exercise or failure to exercise any authority granted under this Section in the absence of gross negligence.

1 **D. The provisions of this Section apply only to roadways in this state**
2 **included in the state and federal highway system.**

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____