

Regular Session, 2014

HOUSE BILL NO. 150

BY REPRESENTATIVE GISCLAIR

1 AN ACT

2 To amend and reenact R.S. 32:58 and to enact R.S. 32:414(W), relative to careless operation  
3 of a motor vehicle; to provide relative to the prohibition on careless operation of a  
4 motor vehicle when the operator fails to maintain control of the vehicle by falling  
5 asleep; to provide for penalties relative to violations of such prohibitions; to provide  
6 for the suspension of driving privileges; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 32:58 is hereby amended and reenacted and R.S. 32:414(W) is  
9 hereby enacted to read as follows:

10 §58. Careless operation

11 A. Any person operating a motor vehicle on the public roads of this state  
12 shall drive in a careful and prudent manner, so as not to endanger the life, limb, or  
13 property of any person. Failure to drive in such a manner shall constitute careless  
14 operation.

15 B. If the careless operation of the motor vehicle directly or proximately  
16 causes the death of a human being, when the operator fails to maintain control of the  
17 vehicle because of falling asleep, in addition to any penalties provided in this Title,  
18 the person shall also be ordered to serve court-approved community service for not  
19 more than two hundred fifty hours and the department may suspend the operator's  
20 license for a period of two years.

21 \* \* \*

22 §414. Suspension, revocation, renewal, and cancellation of licenses; judicial review

23 \* \* \*

1                    W. The department may suspend the license of any person for a period of  
2                    two years upon receiving satisfactory evidence of a conviction, plea of guilty, or plea  
3                    of nolo contendere for a violation of R.S. 32:58 when the operator fails to maintain  
4                    control of the vehicle because of falling asleep and when such operation directly or  
5                    proximately causes the death of a human being.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_