

Regular Session, 2010

SENATE BILL NO. 9

BY SENATOR B. GAUTREAUX

TRAFFIC. Makes texting while driving a motor vehicle a primary offense. (8/15/10)

1 AN ACT

2 To amend and reenact R.S. 32:300.5(C)(4), relative to texting while driving a motor vehicle;  
3 to provide for the use of certain wireless telecommunications devices for text  
4 messaging; to change the violation to a primary offense; and to provide for related  
5 matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 32:300.5(C)(4) is hereby amended and reenacted to read as follows:

8 §300.5. Use of certain wireless telecommunications devices for text messaging  
9 prohibited

10 \* \* \*

11 C. \* \* \*

12 (4) Any violation of this Section shall constitute a moving violation. ~~A law~~  
13 ~~enforcement officer shall enforce the provisions of this Section only as a secondary~~  
14 ~~action when the officer detains a driver for an alleged violation of another provision~~  
15 ~~of this Chapter.~~

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Michelle Ducharme.

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DIGEST

Present law provides that the traffic violation of texting while driving a motor vehicle shall be enforced only as a secondary action when the officer detains a driver for another alleged violation.

Proposed law removes this provision, thereby making texting while driving a motor vehicle a primary offense.

Effective August 15, 2010.

(Amends R.S. 32:300.5(C)(4))