

SENATE BILL NO. 91

BY SENATORS COLOMB, BARROW, BISHOP, BOUDREAUX, BROWN, CARTER,
GATTI, MORRELL, TARVER, THOMPSON AND WALSWORTH

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

AN ACT

To amend and reenact R.S. 32:300.5(C)(1) and (2), 300.6(C)(1) and (2), 300.7(E)(1)(a) and (b), and 300.8(D)(2)(a) and (b) and to enact R.S. 15:571.11(A)(4), relative to the prohibition against using wireless communications devices for text messaging and social networking while driving; to increase the penalties for violations of this prohibition by the general public, by holders of certain special licenses, by minors, and in school zones; to provide for the disposition of fines; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 15:571.11(A)(4) is hereby enacted to read as follows:

§571.11. Dispositions of fines and forfeitures

A.

* * *

(4) Notwithstanding any provision of law to the contrary, twenty-five dollars from all fines collected pursuant to R.S. 32:300.5, 300.6, 300.7, and 300.8 shall be distributed to the indigent defender fund of the judicial district in which the citation was issued.

* * *

Section 2. R.S. 32:300.5(C)(1) and (2), 300.6(C)(1) and (2), 300.7(E)(1)(a) and (b), and 300.8(D)(2)(a) and (b) are hereby amended and reenacted to read as follows:

§300.5. Use of certain wireless telecommunications devices for text messaging and social networking prohibited

* * *

C.(1) The first violation of the provisions of this Section shall be punishable by a fine of not more than ~~one hundred seventy-five~~ **five hundred** dollars.

1 (2) Each subsequent violation shall be punishable by a fine of not more than
2 ~~five hundred~~ **one thousand** dollars.

3 * * *

4 §300.6. Use of wireless telecommunications devices by certain drivers prohibited;
5 exceptions

6 * * *

7 C.(1) A first violation of the provisions of this Section shall be punishable by
8 a fine of not more than ~~one hundred seventy-five~~ **five hundred** dollars.

9 (2) Each subsequent violation shall be punishable by a fine of not more than
10 ~~five hundred~~ **one thousand** dollars.

11 * * *

12 §300.7. Use of certain wireless telecommunications devices by minors while driving
13 prohibited; exceptions

14 * * *

15 E.(1)(a) A first violation of the provisions of this Section shall be punishable
16 by a fine of not more than ~~one hundred~~ **two hundred fifty** dollars.

17 (b) Each subsequent violation shall be punishable by a fine of not more than
18 ~~two hundred fifty~~ **five hundred** dollars **and a suspension of driver's license for a**
19 **sixty-day period.**

20 * * *

21 §300.8. Use of wireless telecommunications devices in school zones prohibited;
22 exceptions

23 * * *

24 D.(1) * * *

25 (2)(a) The first violation of the provisions of this Section shall be punishable
26 by a fine of not more than ~~one hundred seventy-five~~ **five hundred** dollars.

27 (b) Each subsequent violation shall be punishable by a fine of not more than
28 ~~five hundred~~ **one thousand** dollars **and a suspension of driver's license for a sixty-**
29 **day period.**

30 * * *

1 Section 3. This Act shall become effective upon signature by the governor or, if not
2 signed by the governor, upon expiration of the time for bills to become law without signature
3 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
4 vetoed by the governor and subsequently approved by the legislature, this Act shall become
5 effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____