

2019 Regular Session

HOUSE BILL NO. 132

BY REPRESENTATIVES CREWS, BRASS, TERRY BROWN, CARPENTER, STEVE
CARTER, FRANKLIN, GISCLAIR, HILL, HOWARD, LEBAS, NORTON,
WHITE, AND WRIGHT

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

TRAFFIC/ACCIDENTS: Modifies postaccident drug testing requirements

1 AN ACT

2 To amend and reenact R.S. 32:681(Section heading), (A), and (B) and to enact R.S.
3 32:681(E), relative to postaccident drug testing requirements; to provide for the
4 extension of a postaccident drug testing requirement to accidents involving a serious
5 bodily injury; to provide for a definition; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 32:681(Section heading), (A), and (B) are hereby amended and
8 reenacted and R.S. 32:681(E) is hereby enacted to read as follows:

9 §681. Postaccident drug testing; accidents involving serious bodily injury or
10 fatalities, required

11 A. The operator of any motor vehicle which is involved in a collision or the
12 operator of any watercraft involved in a collision, crash, or other casualty in which
13 a serious bodily injury or fatality occurs shall be deemed to have given consent to,
14 and shall be administered, a chemical test or tests of his blood, urine, or other bodily
15 substance for the purpose of determining the presence of any abused substance or
16 controlled dangerous substance as set forth in R.S. 40:964 or any other impairing
17 substance.

18 B. The test or tests shall be administered at the direction of a law
19 enforcement officer having reasonable grounds to believe the person to have been
20 driving or in actual physical control of a motor vehicle upon the public highways of

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Transportation, Highways and Public Works to the original bill:

1. Modifies the definition of "serious bodily injury" by removing "unconsciousness and extreme physical pain" and adding "a period of protracted unconsciousness".