



Proposed law otherwise retains present law.

The following present law offenses defined in Title 32 of the Louisiana Revised Statutes of 1950 either require serious bodily injury as an element of the offense, or provide for enhanced penalties when the offense results in serious bodily injury: drag racing and racing on public roads and certain property; overtaking and passing school buses; stop sign and yield sign violations; allowing unlicensed persons under the age of 17 to drive; and refusal to submit to chemical test. Present law does not provide a universal definition of "serious bodily injury" for purposes of these present law offenses, but instead defines "serious bodily injury" in the context of each present law offense.

Proposed law defines "serious bodily injury" for the purposes of these present law offenses as bodily injury that involves unconsciousness, extreme physical pain, protracted and obvious disfigurement, protracted loss or impairment of the function of a bodily member, organ, or mental faculty, or a substantial risk of death.

Proposed law otherwise retains present law.

Present law requires the operator of any motor vehicle or watercraft involved in a collision, crash, or other casualty in which a fatality occurs to be administered a chemical test of his blood, urine, or other bodily substance for the purposes of determining the presence of any abused or controlled dangerous substance.

Proposed law extends this present law requirement to the operator of any motor vehicle or watercraft involved in a collision, crash, or other casualty in which a serious bodily injury occurs.

Present law requires that the test or tests to be administered to the operator of any motor vehicle or watercraft involved in a collision, crash, or other casualty in which a fatality occurs be administered at the direction of a law enforcement officer having reasonable grounds to believe the person driving or in actual physical control of a motor vehicle or watercraft involved in a collision, crash, or other casualty in which a fatality occurs.

Proposed law extends this present law requirement to the person driving or in actual physical control of a motor vehicle or watercraft involved in a collision, crash, or other casualty in which a serious bodily injury occurs to determine the presence of any abused substance or controlled dangerous substance.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 14:34.4(B)(2), 52.2(E) and 92.2(A)(4), R.S. 15:1212(B)(4), and R.S. 32:402(B)(1)(c)(ii), 417(E)(2), 666(A)(1)(a)(i) and 681(A) and (B); adds R.S. 14:2(C) and R.S. 32:1.1; repeals R.S. 14:34.1(B)(3), 34.7(B)(3), 34.9(B)(4), 35.3(B)(6), 39.2(C), 43.2(B), 64.4(A)(2), 93.2.3(A)(2), 100(B)(2), 102.12(4), 102.22(B)(2), 108.1(E)(2)(b), 231(D)(4), 403(A)(1)(b)(ii), 403.7(B)(4), and 502(B)(3) and R.S. 32:65(D)(2)(b), 80(A)(4)(c), and 123(E)(2))