

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.

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))