The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Jerry G. Jones.

DIGEST

SB 154 Original 2019 Regular Session Ward

Present law, relative to civil liability provides that any person driving any vehicle, object, or contrivance upon any highway or highway structure shall be liable for all damages, which the highway or structure may sustain as a result of any illegal operation, driving or moving of such vehicle, object, or contrivance, or as a result of operating, driving, or moving any vehicle, object, or contrivance weighing in excess of the permitted maximum weight, even if authorized by a special permit issued as provided in R.S. 32:388.

Proposed law redesignates cross-reference concerning weight and special permits from R.S. 32:388 to R.S. 32:385-387.

Present law provides whenever such a driver causing damage is not the owner of the vehicle, object, or contrivance but is operating, driving, or moving the same with the express or implied permission of the owner, then the owner and driver shall be jointly and severally liable for any such damage.

Proposed law changes "be jointly and severally liable" to "have solidary liability".

Proposed law further provides that evidence of liability and damage shall be admissible as authorized by the Louisiana Code of Evidence or other applicable provision of law, and that the prescriptive period or periods for actions under the provisions of the proposed law shall be governed by the Louisiana Civil Code or other applicable provision of law.

Effective August 1, 2019.

(Amends R.S. 32:291)