

2022 Regular Session

SENATE BILL NO. 372

BY SENATOR WARD

MOTOR VEHICLES. Provides relative to liability of transportation network companies.
(8/1/22)

1 AN ACT

2 To enact R.S. 48:2206, relative to transportation network companies; to provide relative to
3 an exception to liability applicable to transportation network companies under
4 certain circumstances; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 48:2206 is hereby enacted to read as follows:

7 **§2206. Liability**

8 **A. A transportation network company shall not be held liable for**
9 **owning, operating, or maintaining the digital network accessed by a driver or**
10 **rider, or for being the company affiliated with a driver, when harm to a person**
11 **or property results from or arises out of the use, operation, or possession of a**
12 **motor vehicle operating as a company vehicle while the driver is logged on to**
13 **the digital network if all of the following apply:**

14 **(1) There is no negligence or criminal wrongdoing on the part of the**
15 **company.**

16 **(2) The company fulfilled all of its obligations relative to a driver as**
17 **required by this Chapter.**

1 **(3) The company is not the owner or custodian of the motor vehicle that**
2 **caused harm to persons or property.**

3 **B. The provisions of this Section shall not be construed to modify or**
4 **reduce the insurance coverages, policy limits, or liability of any person as**
5 **established by contract or as required by any other provision of law.**

6 **C. The provisions of this Section shall not be construed to place any form**
7 **of liability on the state of Louisiana or the Louisiana Department of**
8 **Transportation and Development if the state or the department comply with the**
9 **applicable requirements of this Chapter.**

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Archana D. Cadge.

DIGEST

SB 372 Original

2022 Regular Session

Ward

Proposed law provides a transportation network company cannot be held liable for owning, operating, or maintaining the digital network accessed by a driver or rider, or for being the company affiliated with a driver, when harm to a person or property results from or arises out of the use, operation, or possession of a motor vehicle operating as a company vehicle while the driver is logged on to the digital network if all of the following apply:

- (1) There is no negligence or criminal wrongdoing on the part of the company.
- (2) The company fulfilled all of its obligations relative to a driver as required by present law.
- (3) The company is not the owner or custodian of the motor vehicle that caused harm to persons or property.

Proposed law provides that proposed law it is not intended to modify or reduce the insurance coverages, policy limits, or liability of any person as established by contract or as required by present law.

Proposed law exempts the state and the Dept. of Transportation and Development from liability if the state or the department, respectively, comply with applicable provisions of present law.

Effective August 1, 2022.

(Adds R.S. 48:2206)