

2025 Regular Session

# ACT No. 16

HOUSE BILL NO. 434

BY REPRESENTATIVES DEWITT, AMEDEE, BACALA, BAMBURG, BEAULLIEU, BERAULT, BILLINGS, BOURRIAQUE, BOYER, BUTLER, CARLSON, CARVER, CHENEVERT, DEVILLIER, DICKERSON, ECHOLS, EDMONSTON, EGAN, EMERSON, FIRMENT, FONTENOT, GADBERRY, GLORIOSO, HENRY, MIKE JOHNSON, MCMAKIN, MELERINE, OWEN, ROMERO, SCHAMERHORN, TURNER, WILDER, AND WYBLE

1 AN ACT

2 To amend and reenact R.S. 32:866(A)(1), (C), and (F), relative to the recovery for certain  
3 damages; to provide a limitation of recovery under certain circumstances; to require  
4 automobile insurance to recover certain damages; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 32:866(A)(1), (C), and (F) are hereby amended and reenacted to read  
7 as follows:

8 §866. Compulsory motor vehicle liability security; failure to comply; limitation of  
9 damages

10 A.(1) There shall be no recovery for the first ~~fifteen~~ one hundred thousand  
11 dollars of bodily injury and no recovery for the first ~~twenty-five~~ one hundred  
12 thousand dollars of property damage based on any cause or right of action arising out  
13 of a motor vehicle accident, for such injury or damages occasioned by an owner or  
14 operator of a motor vehicle involved in such accident who fails to own or maintain  
15 compulsory motor vehicle liability security.

16 \* \* \*

17 C. If the owner of a motor vehicle, who fails to own or maintain compulsory  
18 motor vehicle liability security, institutes an action to recover damages in any  
19 amount, regardless of whether such owner or operator is at fault, and is awarded an

1 amount equal to or less than ~~the minimum amount of compulsory motor vehicle~~  
 2 ~~liability security~~ one hundred thousand dollars of bodily injury, then such owner or  
 3 operator shall be assessed and held liable for all court costs incurred by all parties to  
 4 the action.

5 \* \* \*

6 F.(1) Notwithstanding any provision of law to the contrary, no insurer shall  
 7 lose any rights of subrogation for claims paid under the applicable insurance policy  
 8 for the recovery of any sum in excess of the first ~~fifteen~~ one hundred thousand  
 9 dollars of bodily injury and the first ~~twenty-five~~ one hundred thousand dollars of  
 10 property damages.

11 (2) In claims where no suit is filed, the claimant's insurer shall have all rights  
 12 to recover any amount paid by the claimant's insurer on behalf of the insured for the  
 13 recovery of any sum in excess of the first ~~fifteen~~ one hundred thousand dollars of  
 14 bodily injury and the first ~~twenty-five~~ one hundred thousand dollars of property  
 15 damages.

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 SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
 PRESIDENT OF THE SENATE

\_\_\_\_\_  
 GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_