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## DIGEST

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HB 264 Original

2026 Regular Session

Glorioso

**Abstract:** Requires a safe-release clearance determination before releasing a person arrested for operating a vehicle while impaired.

Proposed law defines "chemical test", "legal limit", "medically sober", and "operating-while-impaired offense".

Proposed law requires a custodial law enforcement agency to make a safe-release clearance determination before releasing a person arrested for operating a vehicle while impaired.

Proposed law requires a chemical test to determine blood alcohol content and a breath test before providing safe-release clearance.

Proposed law allows for safe-release clearance when no chemical test is available if the arrestee is held a minimum of eight hours and is medically sober.

Proposed law requires the custodial law enforcement agency to document the arrestee's planned means of transportation from the facility and allows the agency to require a separate person to provide transportation.

Proposed law provides for the towing and storing of vehicles used in an operating while impaired offense.

Proposed law requires the arresting agency to notify rental car dealers when a rental car is involved in an operating-while-impaired-offense.

Proposed law requires rental cars to be released only to the rental dealer or a sober person who is listed on the rental contract.

Proposed law provides for civil immunity.

Proposed law allows agencies to adopt standards, policies, and training guidance in accordance with the APA to implement proposed law.

(Adds R.S. 14:98.9)