

2026 Regular Session

HOUSE BILL NO. 309

BY REPRESENTATIVE BAYHAM

CRIME: Provides for the crime of walking on a crosswalk while looking at a cellphone

1 AN ACT

2 To amend and reenact R.S. 32:212(C) and (D) and to enact R.S. 32:212(E), relative to the  
3 right-of-way of pedestrians in crosswalks; to prohibit the use of wireless  
4 telecommunications devices when visual attention is required; to provide for  
5 exceptions; to provide for penalties; to provide for technical changes; and to provide  
6 for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 32:212(C) and (D) are hereby amended and reenacted and R.S.  
9 32:212(E) is hereby enacted to read as follows:

10 §212. Pedestrians right-of-way in crosswalks

11 \* \* \*

12 C.(1) No pedestrian shall operate a wireless telecommunications device, as  
13 defined in R.S. 32:59, in a marked crosswalk in a manner which requires the visual  
14 attention of the pedestrian.

15 (2) Nothing in this Subsection shall prohibit a person from continuing a call  
16 on a wireless telecommunications device in a manner which does not require his  
17 visual attention for the entire time he is in the marked crosswalk.

18 (3) The provisions of this Subsection do not apply to a person who uses a  
19 wireless telecommunications device in a crosswalk to do any of the following:

20 (a) Report a traffic collision, medical emergency, other emergency, or  
21 serious road hazard.

1           (b) Report a situation in which the person believes that an individual is in  
2           jeopardy of serious injury or death.

3           (c) Dial 911 to report a crime in progress.

4           (d) View a global positioning system for purposes of pedestrian navigation.

5           (4) Whoever violates the provisions of this Subsection shall be guilty of a  
6           misdemeanor and be fined twenty-five dollars.

7           C.D. Whenever any vehicle is stopped at a marked crosswalk or at any  
8           unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway,  
9           the driver of any other vehicle approaching from the rear shall not overtake and pass  
10          such stopped vehicle.

11          D.E. Subsection A of this Section ~~shall~~ does not apply ~~where~~ if the  
12          pedestrian is crossing a roadway at a point where a pedestrian tunnel or overhead  
13          pedestrian crossing has been provided.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 309 Original

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Bayham

**Abstract:** Prohibits a pedestrian from looking at a cell phone while crossing a crosswalk.

Present law provides for the rights and obligations of pedestrians while using a crosswalk.

Proposed law retains present law.

Proposed law prohibits a pedestrian from using a cell phone in any manner which requires him to look at the cell phone while he is using the crosswalk.

Proposed law clarifies that it does not prohibit talking on a cell phone in a crosswalk if the phone is held in a manner that does not require the pedestrian's visual attention.

Proposed law provides exceptions for reporting a traffic collision or other emergency, reporting a situation in which he believes someone is in jeopardy of serious injury or death, dialing 911 to report a crime, or using a global positioning system for navigation.

Proposed law provides a misdemeanor penalty of \$25 for anyone who looks at his cell phone while using a crosswalk.

(Amends R.S. 32:212(C) and (D); Adds R.S. 32:212(E))