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## DIGEST

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HB 1032 Reengrossed

2026 Regular Session

Wiley

**Abstract:** Creates uniformity for the substances involved in operating a motor vehicle under the influence.

Present law (R.S. 32:414(A)(1)(a)) requires the Dept. of Public Safety and Corrections (DPS&C) to suspend the license of any person for 12 months upon receiving evidence of a conviction or of the entry of a plea of guilty or nolo contendere and sentence thereupon or of the forfeiture of bail of a 1st offense for vehicular negligent injuring or for operating a motor vehicle while under the influence of beverages of high alcoholic content, of low alcoholic content, of narcotic drugs, or of central nervous system stimulants, including those cases where a person's sentence is suspended pursuant to present law.

Proposed law modifies present law by changing the referenced substances from narcotic drugs, or of central nervous system stimulants to any drug, combination of drugs, or combination of alcohol and drugs.

Present law (R.S. 32:414(B)(2)(a)) requires the DPS&C suspend the license of any person for 24 months upon receiving evidence of a conviction or the entry of a plea of guilty and a related sentence or the forfeiture of bail of any such person on the second offense for vehicular negligent injuring or for operating or being in actual physical control of a motor vehicle while under the influence of intoxicating beverages, of central nervous system stimulants or depressants, or of narcotic drugs or any other drug or substance to a degree which renders him incapable of safely operating a motor vehicle, when any or all of the offenses were the result of violations of a state law, a municipal ordinance, a federal law, or any combination of them.

Proposed law modifies present law by changing the referenced substances from central nervous system stimulants or depressants, or of narcotic drugs or any other drug or substance to a degree which renders him incapable of safely operating a motor vehicle to any drug, combination of drugs, or combination of alcohol and drugs.

Present law (R.S. 32:414(D)(1)(a)) requires the DPS&C suspend the license of any person for a period of 36 months upon receiving satisfactory evidence of conviction, plea of guilty, or plea of nolo contendere, and sentence or the forfeiture of bail of any such person as determined by any court of jurisdiction as set forth present law, with regard to a third or subsequent offense for vehicular negligent injuring or for operating a motor vehicle while under the influence of beverages of alcoholic content, of narcotic drugs, or of central nervous system stimulants.

Proposed law modifies present law by changing the referenced substances from narcotic drugs, or of central nervous system stimulants to any drug, combination of drugs, or combination of alcohol and drugs.

Present law (R.S. 32:414(I)(1)) requires the reinstatement fee for a license of a person who has been convicted of or forfeited bond on or entered a plea of guilty or nolo contendere to a charge of operating a motor vehicle while under the influence of beverages of high alcoholic content, of low alcoholic content, of narcotic drugs, or of central nervous system stimulants be \$100 if one conviction appears listed on his record prior to application for reinstatement; \$200 if two such convictions appear on his record prior to application for reinstatement; and \$300 for each conviction on his record after the second conviction prior to application for reinstatement.

Proposed law modifies present law by changing the referenced substances from narcotic drugs, or of central nervous system stimulants to any drug, combination of drugs, or combination of alcohol and drugs.

Present law (R.S. 32:414(V)(1)) requires the DPS&C suspend the license of a person for the same period of time as provided in present law for the conviction or the entry of a plea of guilty and sentence, or the forfeiture of bail of any such person charged with vehicular negligent injuring committed while operating a watercraft or for operating a watercraft while under the influence of beverages of high alcoholic content, of low alcoholic content, of narcotic drugs, or of central nervous system stimulants.

Proposed law modifies present law by changing the referenced substances from narcotic drugs, or of central nervous system stimulants to any drug, combination of drugs, or combination of alcohol and drugs.

Present law (R.S. 32:414(V)(2)) requires any suspension or revocation of license due to the conviction or the entry of a plea of guilty or nolo contendere and sentence or the forfeiture of bail on the charge of vehicular negligent injuring or for operating a motor vehicle while under the influence of beverages of high alcoholic content, of low alcoholic content, of narcotic drugs, or of central nervous system stimulants as provided for in present law also prohibit the operation or physical control of a watercraft upon the waterways of this state during the time period of such suspension or revocation.

Proposed law modifies present law by changing the referenced substances from narcotic drugs, or of central nervous system stimulants to any drug, combination of drugs, or combination of alcohol and drugs.

Present law (R.S. 32:661(A)(3)) requires any person deemed to give consent to a chemical test or tests to determine alcohol content in his blood and the presence of any drug in his blood if arrested for acts alleged to be operating a motor vehicle under the influence of alcoholic beverages, any drug, combination of drugs, or combinations of alcohol and drugs. Further specifies that if the person is under 21 years of age, the test or tests be administered at the direction of a law enforcement officer having reasonable grounds to believe the person to have been driving or in actual physical control

of a vehicle upon the public hwy. of this state after having consumed alcoholic beverages.

Proposed law retains present law but adds any drug, combination of drugs, or combination of alcohol and drugs.

Present law (R.S. 32:896(A)) specifies that when a license is suspended based upon receipt of evidence of conviction, entry of guilty plea, or forfeiture of bond of any person charged with operating a motor vehicle while under the influence of intoxicating beverages or narcotic drugs or stimulants of the central nervous system, or for refusal to submit to chemical tests of blood, breath, urine, or other bodily substance for determining the alcoholic content of his blood, no license can be reinstated or reissued to the person unless such person previously has given or immediately gives and maintains proof of financial responsibility with respect to all vehicles registered by him and show financial responsibility individually as a non-owner for a period of three years.

Proposed law modifies present law by changing the referenced substances from narcotic drugs or stimulants of the central nervous system to any drug, combination of drugs, or combination of alcohol and drugs.

Present law (R.S. 32:1420) creates the Driver License Compact. Further requires that the licensing authority in the home state, for the purposes of suspension, revocation, or limitation of the license to operate a vehicle be given the same effect to the conduct reported, pursuant to present law of this compact, as it would if such conduct had occurred in the home state, in the case of convictions for driving a vehicle while under the influence of intoxicating liquor or a narcotic drug, or under the influence of any other drug to a degree which renders the driver incapable of safely driving a motor vehicle.

Proposed law modifies present law by changing the referenced substances from a narcotic drug or under the influence of any other drug to any drug, combination of drugs, or combination of alcohol and drugs.

(Amends R.S. 32:414(A)(1)(a), (B)(2)(a), (D)(1)(a), (I)(1), and (V), 661(A)(3), 896(A), and 1420)

#### Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Transportation, Highways and Public Works to the original bill:

1. Make a technical change.

The House Floor Amendments to the engrossed bill:

1. Make technical changes.